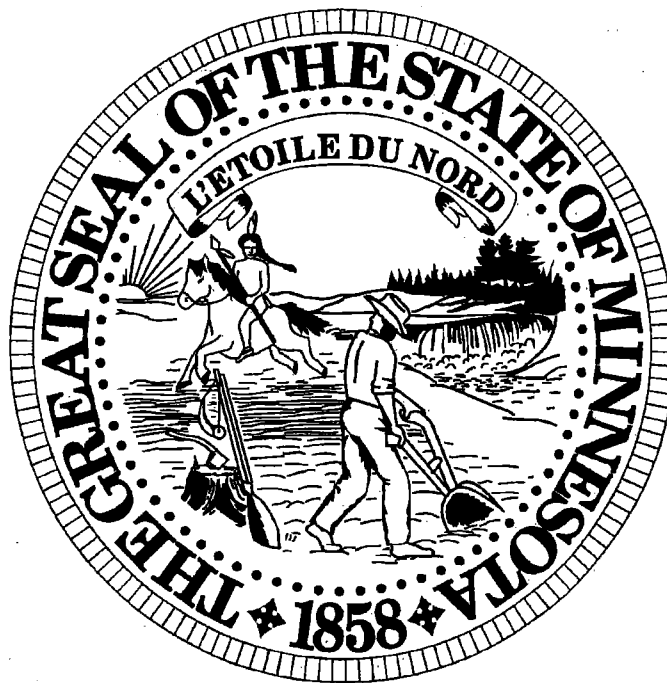


State of Minnesota

State Register



**Proposed, Adopted, & Expedited Rules; Executive Orders; Appointments;
Commissioners' Orders; Revenue Notices; Official Notices;
State Grants & Loans; State Contracts; Non-State Public Bids, Contracts & Grants**
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State Register

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The *State Register* is the official publication of the State of Minnesota's Executive Branch of government, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes*, Chapter 14, and *Minnesota Rules*, Chapter 1400. The *State Register* contains:

- Proposed Rules
- Adopted Rules
- Exempt Rules
- Expedited Rules
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- Vetoed Rules
- Executive Orders of the Governor
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Printing Schedule and Submission Deadlines									
Vol. 35 Issue Number	PUBLISH DATE (BOLDFACE shows altered publish date)			Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts				Deadline for Proposed, Adopted and Exempt RULES	
# 30	Monday	24	January	Noon Tuesday	18	January	Noon Wednesday	12	January
# 31	Monday	31	January	Noon Tuesday	25	January	Noon Wednesday	19	January
# 32	Monday	7	February	Noon Tuesday	1	February	Noon Wednesday	26	January
# 33	Monday	14	February	Noon Tuesday	8	February	Noon Wednesday	2	February

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Exempt Rules

Exempt rules are excluded from the normal rulemaking procedures (*Minnesota Statutes* §§ 14.386 and 14.388). They are most often of two kinds. One kind is specifically exempted by the Legislature from rulemaking procedures, but approved for form by the Revisor of Statutes, reviewed for legality by the Office of Administrative Hearings, and then published in the *State Register*. These exempt rules are effective for two years only.

The second kind of exempt rule is one adopted where an agency for good cause finds that the rulemaking provisions of *Minnesota Statutes*, Chapter 14 are unnecessary, impracticable, or contrary to the public interest. This exemption can be used only where the rules:

- (1) address a serious and immediate threat to the public health, safety, or welfare, or
- (2) comply with a court order or a requirement in federal law in a manner that does not allow for compliance with *Minnesota Statutes* Sections 14.14-14.28, or
- (3) incorporate specific changes set forth in applicable statutes when no interpretation of law is required, or
- (4) make changes that do not alter the sense, meaning, or effect of the rules.

These exempt rules are also reviewed for form by the Revisor of Statutes, for legality by the Office of Administrative Hearings and then published in the *State Register*. In addition, the Office of Administrative Hearings must determine whether the agency has provided adequate justification for the use of this exemption. Rules adopted under clauses (1) or (2) above are effective for two years only. The Legislature may also exempt an agency from the normal rulemaking procedures and establish other procedural and substantive requirements unique to that exemption.

KEY: Proposed Rules - Underlining indicates additions to existing rule language. ~~Strikeouts~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **Adopted Rules** - Underlining indicates additions to proposed rule language. ~~Strikeout~~ indicates deletions from proposed rule language.

Department of Natural Resources (DNR)

Adopted Exempt Permanent Game and Fish Rules: Designated Experimental and Special Management Waters

NOTICE IS HEREBY GIVEN that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, sections 97C.001 and 97C.005.

Dated: 8 December 2010

Mark Holsten, Commissioner
Department of Natural Resources

6264.0300 DESIGNATED EXPERIMENTAL WATERS.

[For text of subps 1 to 36, see M.R.]

Subp. 37. [See repealer.]

Subp. 38. [Repealed, 28 SR 1011]

Subp. 39. [See repealer.]

Subp. 40. [Repealed, 28 SR 1011]

Subp. 41. [See repealer.]

[For text of subps 42 to 62, see M.R.]

Subp. 63. [See repealer.]

[For text of subps 64 to 76, see M.R.]

Subp. 77. Big Sandy Lake walleye regulation. While a person is on or angling in the following waters, all walleye in possession must be from 14 inches to 18 inches in length, inclusive. All walleye that are less than 14 inches or greater than 18 inches in length must be immediately returned to the water, except a person's daily and possession limit may include one walleye over 26 inches in length.

Exempt Rules

Name	Location	County	End Date
A. Big Sandy Lake	T.49,50, R.23,24, S.Various	Aitkin	3/1/2023
B. Aitkin Lake (a.k.a. Aitkin Flowage)	T.50, R.23, S.Various	Aitkin	3/1/2023
C. Sandy River Lake	T.49, R.23,24, S.Various	Aitkin	3/1/2023
D. Flowage Lake	T.49, R.23,24, S.Various	Aitkin	3/1/2023
E. Davis Lake (a.k.a. Steamboat Lake)	T.48, R.24, S.Various	Aitkin	3/1/2023
F. Sandy River from State Highway 210 downstream to confluence with Mississippi River	T.48, R.23,24, S.Various	Aitkin	3/1/2023
G. Prairie River from confluence with Tamarack River downstream to Big Sandy Lake	T.49,50, R.22,23, S.Various	Aitkin	3/1/2023
H. West Savanna River from County Highway 14 downstream to Prairie River	T.50, R.22,23, S.Various	Aitkin	3/1/2023

Subp. 78. Clear Lake walleye regulation. While a person is on or angling in the following waters, all walleye in possession must be 17 inches or greater in length. All walleye less than 17 inches in length must be immediately returned to the water. The daily and possession limit for walleye taken from the following waters is three.

Name	Location	County	End Date
Clear Lake	T.32, R.21, S.17,18	Washington	3/1/2022

6264.0400 DESIGNATED SPECIAL MANAGEMENT WATERS.

[For text of subps 1 to 20, see M.R.]

Subp. 21. Northern pike 40-inch minimum size limit. While a person is on or fishing in the following waters, all northern pike in possession must be 40 inches or greater in length. All northern pike that are less than 40 inches in length must be immediately returned to the water. Possession and daily limit is one.

Name	Location	County
A. Crow Wing, 5th	T.140, R.33, S.19,20,29,30	Hubbard
B. Crow Wing, 6th	T.140, R.33, S.20,21,22	Hubbard
C. A. Crow Wing, 8th	T.140, R.32,33, S.1,6,7,12	Hubbard
D. B. Crow Wing, 9th	T.140,141, R.32, S.6,31,32	Hubbard
E. C. Crow Wing, 10th	T.141, R.32, S.28,29,32	Hubbard
F. D. Elephant	T.66, R.19, S.13,14,15,22,23,24	St. Louis
G. E. Mitchell	T.138, R.27, S.11-14	Crow Wing
H. F. Elk	T.143, R.36, S.15,22,23	Clearwater

Exempt Rules

[For text of subps 22 to 58, see M.R.]

Subp. 59. Upper Red Lake and listed tributaries.

A. While a person is on or fishing in the waters listed under item C:

- (1) the daily and possession limit for northern pike shall not include more than one northern pike over ~~40~~ 44 inches in length;
- (2) all northern pike in possession must be less than 26 inches or greater than ~~40~~ 44 inches in length; and
- (3) all northern pike that are from 26 to ~~40~~ 44 inches in length, inclusive, must be immediately returned to the water.

[For text of items B and C, see M.R.]

[For text of subps 60 to 97, see M.R.]

Subp. 98. Sallie and Melissa Lakes northern pike regulation. While a person is on or fishing in the following waters, all northern pike in possession must be less than 24 inches in length or greater than 36 inches in length. All northern pike that are 24 to 36 inches in length, inclusive, must be immediately returned to the water. Daily and possession limit may not include more than one northern pike over 36 inches in length.

<u>Name</u>	<u>Location</u>	<u>County</u>
A. <u>Melissa Lake</u>	<u>T.138, R.41, S.Various</u>	<u>Becker</u>
B. <u>Sallie Lake</u>	<u>T.138, R.41, S.Various</u>	<u>Becker</u>

Subp. 99. Osakis and Little Osakis Lakes walleye regulation. While a person is on or fishing in the following waters, all walleye in possession must be 15 inches or greater in length. All walleye less than 15 inches must be immediately returned to the water.

<u>Name</u>	<u>Location</u>	<u>County</u>
A. <u>Osakis Lake</u>	<u>T.128,129, R.35;36, S.Various</u>	<u>Douglas, Todd</u>
B. <u>Little Osakis</u>	<u>T.129, R.35, S.25,26</u>	<u>Douglas, Todd</u>

Subp. 100. Farm Island Lake walleye regulation. While a person is on or fishing in the following waters, all walleye in possession must be less than 16 inches or greater than 19 inches in length. All walleye that are 16 to 19 inches in length, inclusive, must be immediately returned to the water.

<u>Name</u>	<u>Location</u>	<u>County</u>
<u>Farm Island</u>	<u>T.45,46, R.27, S.Various</u>	<u>Aitkin</u>

Subp. 101. Winnibigoshish and connected waters walleye regulation. While a person is on or fishing in the following waters, all walleye in possession must be less than 17 inches in length or greater than 26 inches in length. All walleye that are 17 to 26 inches in length, inclusive, must be immediately returned to the water. A person's possession limit may not include more than one walleye over 26 inches.

<u>Name</u>	<u>Location</u>	<u>County</u>
A. <u>Cut Foot Sioux Lake</u>	<u>T.146,147, R.27, S.Various</u>	<u>Itasca</u>
B. <u>Dixon Lake</u>	<u>T.148, R.28,29, S.Various</u>	<u>Itasca</u>
C. <u>Egg Lake</u>	<u>T.146, R.26, S.3,10</u>	<u>Itasca</u>
D. <u>First River Lake</u>	<u>T.146, R.26, S.5,6,7,8,9</u>	<u>Itasca</u>
E. <u>Little Cut Foot Lake</u>	<u>T.146,147, R.26,27, S.Various</u>	<u>Itasca</u>

Exempt Rules

<u>F. Mississippi River (from the Knutson Dam to the confluence with Winnibigoshish)</u>	<u>T.145,146, R.29,30, S.Various</u>	<u>Itasca, Cass, Beltrami</u>
<u>G. Pigeon River (from the Pigeon Dam Lake's dam to the confluence with Winnibigoshish)</u>	<u>T.147, R.27, S.30</u>	<u>Itasca</u>
<u>H. Rabbits Lake</u>	<u>T.146, R.29, S.1,2,11,12</u>	<u>Itasca</u>
<u>I. Ravens Flowage</u>	<u>T.146, R.29, S.10,11,12,13</u>	<u>Itasca</u>
<u>J. Ravens Lake</u>	<u>T.146, R.29, S.10,11</u>	<u>Itasca</u>
<u>K. Sugar</u>	<u>T.146, R.29, S.Various</u>	<u>Itasca</u>
<u>L. Third River Flowage</u>	<u>T.147, R.28,29, S.Various</u>	<u>Itasca</u>
<u>M. Winnibigoshish</u>	<u>T.145,146,147, R.27,28,29, S.Various</u>	<u>Cass, Itasca</u>

Subp. 102. Crow Wing Five and Six Lakes northern pike regulation. While a person is on or fishing in the following waters, all northern pike in possession must be less than 24 inches in length or greater than 36 inches in length. All northern pike that are 24 to 36 inches in length, inclusive, must be immediately returned to the water. A person's daily and possession limit may not include more than one northern pike over 36 inches in length.

<u>Name</u>	<u>Location</u>	<u>County</u>
<u>A. Crow Wing, 5th</u>	<u>T.140, R.33, S.19,20,29,30</u>	<u>Hubbard</u>
<u>B. Crow Wing, 6th</u>	<u>T.140, R.33, S.20,21,22</u>	<u>Hubbard</u>

Subp. 103. Big Sandy Lake sunfish regulation. While a person is on or angling in the following waters, the daily and possession limit for sunfish is five.

<u>Name</u>	<u>Location</u>	<u>County</u>
<u>A. Big Sandy Lake</u>	<u>T.49,50, R.23,24, S.Various</u>	<u>Aitkin</u>
<u>B. Aitkin Lake</u>	<u>T.50, R.23, S.Various</u>	<u>Aitkin</u>
<u>C. Sandy River Lake</u>	<u>T.49, R.23,24, S.Various</u>	<u>Aitkin</u>
<u>D. Flowage Lake</u>	<u>T.49, R.23,24, S.Various</u>	<u>Aitkin</u>
<u>E. Davis Lake (a.k.a. Steamboat Lake)</u>	<u>T.48, R.24, S.Various</u>	<u>Aitkin</u>
<u>F. Sandy River from State Highway 210 downstream to confluence with Mississippi River</u>	<u>T.48, R.23,24, S.Various</u>	<u>Aitkin</u>

Exempt Rules

G. Prairie River from confluence with Tamarack River downstream to Big Sandy Lake T.49, 50, R.22, 23, S. Various Aitkin

H. West Savanna River from County Highway 14 downstream to Prairie River T.50, R.22, 23, S. Various Aitkin

REPEALER. *Minnesota Rules*, part 6264.0300, subparts 37, 39, 41, and 63, are repealed.

EFFECTIVE DATE. The amendments to *Minnesota Rules*, parts 6264.0300 and 6264.0400 and the repealer are effective March 1, 2011.

Minnesota Pollution Control Agency (MPCA) Adopted Exempt Rule Relating to Greenhouse Gas Permit Requirements

7005.0100 DEFINITIONS.

[For text of subps 1 to 10, see M.R.]

Subp. 10a. **Emission factor.** "Emission factor" means the most accurate and representative emission data available from one of the following sources:

[For text of items A and B, see M.R.]

C.

(1) An emission factor developed or approved by the commissioner and derived from the following sources:

[For text of units (a) to (d), see M.R.]

(e) manufacturer's performance tests; or

(f) emission data developed by the regulated party using the best engineering judgment criteria listed in subitem (2); or

(g) the General Reporting Protocol for the voluntary reporting program of the Climate Registry.

[For text of subitem (2), see M.R.]

[For text of subps 10b to 11c, see M.R.]

Subp. 11d. **Greenhouse gases or GHGs.** "Greenhouse gases" or "GHGs" means the air pollutant defined in *Code of Federal Regulations*, title 40, section 86.1818-12, paragraph (a), as amended, as the aggregate group of six greenhouse gases: carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

[For text of subps 12 to 45, see M.R.]

7007.0100 DEFINITIONS.

[For text of subps 1 to 7b, see M.R.]

Subp. 7c. **CO₂ equivalent emissions or CO₂e.** "CO₂ equivalent emissions" or "CO₂e" has the meaning given under subpart 24a.

Subp. 7e-7d. **Customary permit conditions.** "Customary permit conditions" means the permit conditions related to amendments, deviation reporting, and calculation frequency that are included in a state permit with environmental management systems (EMS) provisions and are applicable if a stationary source is establishing or has lost eligibility for the EMS provisions.

[For text of subps 8 to 18a, see M.R.]

Subp. 19. **Regulated air pollutant.** "Regulated air pollutant" means the following:

[For text of items A to C, see M.R.]

Exempt Rules

D. any class I or II substance listed pursuant to section 602 of the act (Stratospheric Ozone Protection; Listing of class I and class II Substances); or

E. any pollutant subject to a standard promulgated under section 112 or other requirements established under section 112 of the act (Hazardous Air Pollutants), including sections 112(g)(2)(B) (construction or reconstruction of major source of hazardous air pollutants), 112(j) (Equivalent Emission Limitation by Permit), and 112(r) (Prevention of Accidental Releases), including the following:

[For text of subitem (1), see M.R.]

(2) any pollutant for which the requirements of section 112(g)(2)(B) (construction or reconstruction of a major source of hazardous air pollutants) of the act have been met, but only with respect to the individual source subject to the section 112(g)(2)(B) requirement; or

F. greenhouse gases as defined in part 7005.0100, subpart 11d.

[For text of subs 20 to 24, see M.R.]

Subp. 24a. Subject to regulation. "Subject to regulation" means, for any air pollutant, that the pollutant is subject to either a provision in the Clean Air Act or a nationally applicable regulation codified by the administrator in *Code of Federal Regulations*, title 40, chapter I, subchapter C (Air Programs), that requires actual control of the quantity of emissions of that pollutant and the control requirement has taken effect and is operative to control, limit, or restrict the quantity of emissions of that pollutant released from the regulated activity, except that greenhouse gases (GHGs) as defined under part 7005.0100, subpart 11d, are not subject to regulation unless, as of July 1, 2011, the GHGs emissions are at a stationary source emitting or having the potential to emit 100,000 tons per year (tpy) CO₂e equivalent emissions. "CO₂e equivalent emissions" or "CO₂e" represent an amount of GHGs emitted and that are computed by multiplying the mass amount of emissions for each of the six greenhouse gases in the pollutant GHGs, by the gas's associated global warming potential published in the *Federal Register*, volume 74, pages 56395 and 56396, as amended, to be codified as Table A-1 to subpart A of *Code of Federal Regulations*, title 40, part 98, Global Warming Potentials, as amended, and summing the resultant value for each to compute emissions as CO₂e.

Subp. 24a, 24b. Summary of EMS audit results. "Summary of EMS audit results" is a document signed by an EMS auditor, describing the date and scope of the audit, and conformance, minor nonconformance, or any major nonconformance found in the course of an EMS audit. For major nonconformance, the summary of EMS audit results summarizes the objective evidence found by the EMS auditor, describes corrective actions planned or completed by the stationary source, and details follow-up audit activity planned or completed by the EMS auditor.

[For text of subs 25 to 28, see M.R.]

7007.0150 PERMIT REQUIRED.

Subpart 1. Prohibition.

A. No person may construct, modify, reconstruct, or operate an emissions unit, emission facility, or stationary source except in compliance with an air emission permit from the agency. Exceptions to the requirement to obtain a permit are located in part 7007.0300. Exceptions to the requirement to obtain a permit amendment are located in parts 7007.1250 and 7007.1350. A person violates this subpart when the person begins actual construction on a new source, reconstruction, or modification prior to obtaining the permit or amendment, except as allowed in parts 7007.0750, subpart 7, 7007.1450, subpart 7, and 7007.1500, subpart 3a.

B. Between January 2, 2011, and June 30, 2012, any modifications authorized before January 2, 2011, under any state or part 70 permit must be assessed before actual construction of the modification occurs to calculate whether the change is significant under *Code of Federal Regulations*, title 40, section 52.21, for greenhouse gases as CO₂e or increases the facility's potential to emit greenhouse gases as CO₂e. If greenhouse gases as CO₂e will increase, the owner or operator must submit an appropriate application to request authorization to make the modification. If the modification does not increase greenhouse gases as CO₂e, the owner or operator must retain records of the determination on site for five years from the date of the calculation.

C. If on July 1, 2011, a facility has any current air emission permit or compliance schedule issued before July 1, 2011, that authorizes or allows a pending modification, the owner or operator may not begin actual construction of any modification until the potential to emit greenhouse gases as CO₂e has been calculated. The owner or operator must calculate the potential to emit greenhouse gases as CO₂e from the existing facility, any pending modification that is authorized by a permit or schedule for which actual construction has not begun, and the total facility including pending, permitted modifications.

Exempt Rules

(1) If the potential to emit greenhouse gases as CO₂e from any of these three assessments exceeds the permit threshold for greenhouse gases in part 7007.0200, subpart 2, regardless of any previously authorized modifications in the source's existing air emissions permit, the owner or operator must submit a revised permit application either as a major source of greenhouse gases or take federally enforceable limits to be a nonmajor source.

(2) If the potential to emit greenhouse gases as CO₂e from all of these three calculations are below the permit threshold for greenhouse gases in part 7007.0200, subpart 2, then the pending modification may proceed to actual construction under the air emission permit or compliance schedule issued before July 1, 2011. The owner or operator must maintain records of the calculation on site until July 1, 2016.

D. If on July 1, 2011, an owner or operator determines that emissions under a current air emission permit issued before July 1, 2011, authorizing a pending modification meets or exceeds the permit threshold for greenhouse gases in part 7007.0200, subpart 2, and decides not to proceed with the modification, then the owner or operator must submit an application to revise the permit within 180 days of July 1, 2011.

E. By July 1, 2011, an owner or operator holding any existing part 70 or state facility permit must calculate whether the facility's potential to emit greenhouse gases meets or exceeds the permit threshold for greenhouse gases in part 7007.0200, subpart 2.

(1) If the potential to emit greenhouse gases as CO₂e does not exceed the permit threshold for greenhouse gases, the owner or operator must retain records of the calculation on site until January 2, 2016.

(2) If the potential to emit greenhouse gases as CO₂e exceeds the permit threshold for greenhouse gases, then the owner or operator must notify the Pollution Control Agency by June 30, 2011, if the facility can retain its current permit or submit an application by June 30, 2012, to revise the permit.

[For text of subps 2 to 5, see M.R.]

7007.0200 SOURCES REQUIRED OR ALLOWED TO OBTAIN A PART 70 PERMIT.

[For text of subp 1, see M.R.]

Subp. 2. **Major sources.** Any "major source," which means any stationary source that is described in item A, B, or C, must obtain a permit under this part.

[For text of item A, see M.R.]

B. A major stationary source of air pollutants, as defined in section 302 of the act (General Provisions; Definitions), that directly emits or has the potential to emit, 100 tons per year or more of any air pollutant (including any major source of fugitive emissions of any such pollutant, as determined by rule by the administrator) and, effective July 1, 2011, 100,000 tons per year CO₂e of greenhouse gases. The fugitive emissions of a stationary source shall not be considered in determining whether it is a major stationary source for the purposes of section 302(j) of the act, unless the stationary source belongs to one of the following categories of stationary sources:

[For text of subitems (1) to (27), see M.R.]

[For text of item C, see M.R.]

[For text of subps 3 to 6, see M.R.]

7007.0400 PERMIT REISSUANCE APPLICATIONS AFTER TRANSITION; NEW SOURCE AND PERMIT AMENDMENT APPLICATIONS; APPLICATIONS FOR SOURCES NEWLY SUBJECT TO A PART 70 OR STATE PERMIT REQUIREMENT.

[For text of subps 1 to 4, see M.R.]

Subp. 5. **Applications: newly subject to requirement to obtain part 70 or state permit due to new regulations.** If a new regulation affecting a stationary source would make the source subject for the first time to the requirement to obtain a part 70 or state permit, the owner or operator shall submit an application for a total facility permit within 365 days of the effective date of the regulation.

7007.0500 CONTENT OF PERMIT APPLICATION.

[For text of subp 1, see M.R.]

Subp. 2. **Information included.** Applicants shall submit the following information as required by the standard application form:

[For text of items A and B, see M.R.]

Exempt Rules

C. The following emissions-related information:

[For text of subitems (1) to (5), see M.R.]

(6) A permit application shall provide the information on actual emissions for the preceding calendar year required in this subitem. Notwithstanding the previous sentence, if actual emission data are not available for the preceding calendar year, the application shall provide an estimate of actual annual emissions required in this subitem.

(a) The permittee shall provide actual emission rates, in tons per year, of criteria pollutants and of greenhouse gases unless the permittee has submitted an emissions inventory as required by parts 7019.3000 and 7019.3010.

[For text of unit (b), see M.R.]

[For text of subitems (7) to (11), see M.R.]

[For text of items D to N, see M.R.]

[For text of subps 3 to 5, see M.R.]

7007.1105 ELIGIBILITY FOR ENVIRONMENTAL MANAGEMENT SYSTEM (EMS) PROVISIONS IN STATE PERMITS.

Subpart 1. **Eligibility for existing stationary sources.** If the commissioner determines that an owner or operator meets the requirements of items A and B, then a stationary source applying for and qualifying for a state permit with the EMS provisions described in part 7007.1107, subparts 2 and 3, may request inclusion of the EMS provisions in its permit.

A. The owner or operator has implemented an ISO 14001-registered EMS at the stationary source, or has implemented an EMS conforming to the requirements of the ISO 14001 standard as determined by an EMS auditor.

B. The owner or operator has applied for a permit to establish facility-wide emission limits for the following pollutants, if they are emitted by the stationary source: NO_x, SO₂, PM, PM-10, CO, VOC, Pb, greenhouse gases, and hazardous air pollutants. The commissioner may establish emission limits for other regulated pollutants described under part 7007.0200, subpart 2, that are emitted by the stationary source.

[For text of subps 2 to 8, see M.R.]

7007.1107 APPLICATION AND PERMIT CONTENT RELATED TO INCLUSION OF EMS PROVISIONS IN STATE PERMITS.

[For text of subp 1, see M.R.]

Subp. 2. **EMS provisions: flexibility in amendment, reporting, and calculation procedures.** If a stationary source meets the eligibility requirements in part 7007.1105, the agency shall include the conditions specified in this subpart in the stationary source's state permit.

[For text of items A and B, see M.R.]

C. An owner or operator shall comply with the requirements related to calculation frequency in subitems (1) to (3).

(1) If the actual emissions of any pollutant listed in this subitem are less than the "Eligibility Limit for Reduced Calculation" for that pollutant for the previous calendar year, then the owner or operator may calculate and record actual emissions for that pollutant on a calendar year basis. The owner or operator shall by January 30 of each year calculate and record the sum of actual emissions for the previous calendar year. This calculation must be made pursuant to the requirements of the permit. Unless otherwise specified in the permit, this calculation must include all emissions units at the stationary source, except for insignificant activities under part 7007.1300, subparts 2 and 3, and conditionally insignificant activities under chapter 7008. The following pollutants have the listed "Eligibility Limit for Reduced Calculation":

[For text of units (a) to (g), see M.R.]

(h) CO, 25 tons/year; and

(i) Pb, 0.050 tons/year; and

(j) CO₂, 25,000 tons/year.

[For text of subitems (2) and (3), see M.R.]

[For text of subp 3, see M.R.]

Exempt Rules

7007.1110 REGISTRATION PERMIT GENERAL REQUIREMENTS.

[For text of subps 1 to 11, see M.R.]

Subp. 11a. Regulatory change rendering stationary source ineligible for registration permit or changing applicable registration permit option.

A. If a stationary source having a registration permit becomes subject to a new regulatory requirement due to its emissions of greenhouse gases that results in the stationary source no longer being able to qualify for or meet the requirements for its current registration permit, then the owner or operator must:

(1) submit a written notification to the commissioner within 30 days of the effective date of a new regulation that results in the stationary source no longer being able to qualify for or meet the requirements for its registration permit. The notification must include a description of the regulatory change and a statement of what type of permit application the owner or operator will submit; and

(2) submit either:

(a) a registration permit application for another option category within 30 days of the effective date of a new regulation that results in the stationary source no longer being able to qualify for or meet the requirements for its registration permit; or

(b) a part 70, state, or general permit application within 180 days of the effective date of the regulatory change.

B. Once a stationary source has made a change rendering it ineligible for all registration permit options under parts 7007.1110 to 7007.1130, the stationary source may become eligible for a registration permit again only if it meets the requirements of subpart 14.

C. If the owner or operator fails to submit the required permit application in the time required by this subpart, the owner or operator is considered to not hold a valid permit and is in violation of part 7007.0150, subpart 1. The owner or operator must submit the required permit application for the appropriate air emission permit within the time limits given in item A.

[For text of subps 12 to 22, see M.R.]

7007.1125 REGISTRATION PERMIT OPTION C.

Subpart 1. **Eligibility.** The owner or operator of a stationary source may apply for a registration permit under this part if the stationary source consists of only indirect heating units (boilers), reciprocating internal combustion engines, and/or emissions from use of VOC-containing materials, and meets the following criteria:

[For text of items A to E, see M.R.]

F. the 12-month rolling sum of calculations determined under calculations 1, 2A, 2B, and 3 in subpart 4 is less than 50; and

G. the owner or operator does not anticipate making changes in the next 12 months which will cause the stationary source to be ineligible for this type of registration permit under items A to F and H; and

H. the stationary source does not use or generate nitrous oxide, other than from combustion units, and does not use or generate hydrofluorocarbons, perfluorocarbons, or sulfur hexafluoride.

[For text of subp 2, see M.R.]

Subp. 3. **Compliance requirements for Option C sources.** Unless a stationary source is eligible under subpart 3a, the owner or operator of a stationary source issued a registration permit under this part shall comply with all of the requirements in items A to ~~F~~ K.

[For text of items A to J, see M.R.]

K. If the registration permit was issued before January 2, 2011, the owner or operator must begin record keeping for greenhouse gases as CO₂e on January 2, 2011.

[For text of subps 3a to 5, see M.R.]

7007.1130 REGISTRATION PERMIT OPTION D.

[For text of subps 1 and 2, see M.R.]

Subp. 3. **Compliance requirements for Option D sources.** Unless a stationary source is eligible under subpart 3a, the owner or operator of a stationary source issued a permit under this part shall comply with all of the requirements in items A to ~~E~~ N.

Exempt Rules

[For text of item A, see M.R.]

B. If the stationary source determined eligibility in the permit application, in whole or in part, by using fuel burned in the calculations in subpart 4, the owner or operator must:

(1) record by the last day of each month the amount of each fuel purchased or used (whichever was stated in the permit application) for the previous month; and

(2) recalculate and record by the last day of each month the 12-month rolling sum of emissions for the previous 12 months, the date the calculation was made, and the calculation itself. This calculation must also include greenhouse gases as CO₂e effective January 2, 2011.

[For text of items C to L, see M.R.]

M. If the stationary source determined eligibility in the permit application, in whole or in part, by calculating actual emissions as CO₂e of hydrofluorocarbons, perfluorocarbons, nitrous oxide, and sulfur hexafluoride, purchased or used (whichever was stated in the permit application), the owner or operator must:

(1) record, by the last day of each month, the amount purchased or used (whichever was stated in the permit application) of each material containing hydrofluorocarbons, perfluorocarbons, nitrous oxide, and sulfur hexafluoride and the mass content of these pollutants for the previous calendar month;

(2) maintain a record of the material safety data sheet (MSDS) or a signed statement from the supplier stating the maximum content of hydrofluorocarbons, perfluorocarbons, nitrous oxide, and sulfur hexafluoride in each material containing hydrofluorocarbons, perfluorocarbons, nitrous oxide, and sulfur hexafluoride purchased or used (whichever was stated in the permit application);

(3) calculate and record, by the last day of each month, the 12-month rolling sum of actual emissions as CO₂e of hydrofluorocarbons, perfluorocarbons, nitrous oxide, and sulfur hexafluoride purchased or used (whichever was stated in the permit application) for the previous 12 months, the date the calculation was made, and the calculation itself; and

(4) if the owner or operator assumes a reduction of emissions in using the material balance method under subpart 4, item D, due to recycling or disposal of material off-site, keep records of the amount of material shipped off-site for recycling and the calculations done to determine the amount to subtract. Acceptable records include monitoring records, material safety data sheets, invoices, shipping papers, and hazardous waste manifests.

N. If the stationary source determined eligibility in the permit application, in whole or in part, by calculating actual emissions as CO₂e of carbon dioxide, nitrous oxide, or methane resulting from a chemical process such as fermentation, wastewater treatment, or decomposition, the owner or operator must:

(1) record, by the last day of each month, the amount of carbon dioxide, nitrous oxide, or methane generated by the chemical processes for the previous calendar month;

(2) calculate and record, by the last day of each month, the 12-month rolling sum of actual emissions as CO₂e of carbon dioxide, nitrous oxide, or methane for the previous 12 months, the date the calculation was made, and the calculation itself; and

(3) if the owner or operator assumes a reduction of emissions in using the material balance method under subpart 4, item D, due to the collection and reuse, recycling, or disposal of carbon dioxide, nitrous oxide, or methane on- or off-site, keep records of the amount of carbon dioxide, nitrous oxide, or methane used or shipped off-site and the calculations done to determine the amount to subtract. Acceptable records include monitoring records, invoices, shipping papers, operating data for air pollution control equipment, or process equipment.

Subp. 3a. **Compliance requirements for low-emitting Option D sources.** If the actual emissions for the previous calendar year of each pollutant are less than the emission eligibility limits for each pollutant listed in Table 3A, then the owner or operator shall comply with all of the requirements in items A to H.

A. If the stationary source determined eligibility in the permit application, in whole or in part, by calculating greenhouse gases (GHGs) as CO₂e, VOC, and HAP actual emissions from GHGs-containing, VOC-containing, or HAP-containing materials, purchased or used (whichever was stated in the permit application), the owner or operator must:

Exempt Rules

(1) maintain records of the amount of each GHGs-containing, VOC-containing, or HAP-containing material purchased or used (whichever was stated in the permit application), and the GHGs or VOC content each calendar year;

(2) maintain a record of the material safety data sheet (MSDS), or a signed statement from the supplier stating the maximum GHGs, VOC, or HAP content, for each GHGs-containing, VOC-containing, or HAP-containing material purchased or used (whichever was stated in the permit application); and

(3) calculate and record, by April 1 of each calendar year, the sum of actual GHGs emissions as CO₂e, VOC emissions, and hazardous air emissions from GHGs-containing, VOC-containing, and HAP-containing materials purchased or used (whichever was stated in the permit application), and the calculation itself for the previous calendar year.

A stationary source in which the only HAP emissions are VOC emissions and that has actual VOC emissions less than five tons per year is not required to maintain records and perform the calculations of HAP emissions under subitems (1) to (3).

[For text of items B to E, see M.R.]

F. The owner or operator must comply with subpart 3, items F and H to J.

TABLE 3A
OPTION D EMISSION ELIGIBILITY LIMITS FOR REDUCED RECORD KEEPING

POLLUTANT	ELIGIBILITY LIMIT FOR REDUCED RECORD KEEPING
HAP	2.5 tons/year for a single HAP 6.25 tons/year total for all HAPs
PM	25 tons/year
PM-10	25 tons/year for an Attainment Area 0 tons/year for a Nonattainment Area
VOC	25 tons/year
SO ₂	25 tons/year
NO _x	25 tons/year
CO	25 tons/year
Pb	0.05 tons/year
CO ₂ e	25,000 tons/year

[For text of item G, see M.R.]

H. If the stationary source determined eligibility in the permit application, in whole or in part, by using hours of operation in the calculations in subpart 4, the owner or operator must:

(1) maintain records of the number of hours operated for each emissions unit, rounded to the nearest hour for each calendar year; and

(2) calculate and record by April 1 of each calendar year the sum of emissions and the calculation itself for the previous calendar year.

TABLE 3A
OPTION D EMISSION ELIGIBILITY LIMITS FOR REDUCED RECORD KEEPING

POLLUTANT	ELIGIBILITY LIMIT FOR REDUCED RECORD KEEPING
HAP	2.5 tons/year for a single HAP 6.25 tons/year total for all HAPs
PM	25 tons/year

Exempt Rules

PM-10	25 tons/year for an Attainment Area 0 tons/year for a Nonattainment Area
VOC	25 tons/year
SO ₂	25 tons/year
NO _x	25 tons/year
CO	25 tons/year
Pb	0.05 tons/year

Subp. 4. **Calculation of actual emissions.** The owner or operator of a stationary source may use a calculation worksheet provided by the commissioner for calculating actual emissions under this part, or may use the calculation methods under items A to E. The owner or operator must calculate actual emissions for each emissions unit, except that similar emissions units may be aggregated for emission calculation purposes. The owner or operator of a stationary source shall use the calculation method in item B instead of the calculation method in item A if the data described in item B are available for the stationary source. The alternative methods described in items C, D, and E may be used by the owner or operator without advance notification to the commissioner. The commissioner shall reject data submitted using the methods described in items B to E if the conditions set forth for the method are not fully met. To prevent double counting of emissions, the owner or operator must select one calculation method under this subpart for each emissions unit at the stationary source. Fugitive dust emissions must be included in the calculations under this subpart only if the stationary source is in a category listed in part 7007.0200, subpart 2, item B, subitems (1) to (27).

[For text of items A to C, see M.R.]

D. A material balance method may be used to calculate greenhouse gases as CO₂e and VOC actual emissions. The owner or operator of a stationary source that uses material balance to calculate greenhouse gases as CO₂e and VOC actual emissions shall determine total greenhouse gases as CO₂e and VOC actual emissions (E) using the following equation: in this item. A separate calculation must be made for each individual gas comprising the pollutant greenhouse gases and the results converted to CO₂e. The amount of CO₂e from each individual gas comprising the pollutant greenhouse gases must be added together for the total tons per year of CO₂e.

$$E = (a - b - c) \times (1 - d), \text{ where}$$

a = the amount of VOC or each individual gas comprising the pollutant greenhouse gases entering the process or the amount of carbon dioxide, nitrous oxide, or methane generated. A signed statement from the supplier or the material safety data sheet must be submitted stating the maximum amount of VOC or each individual gas comprising the pollutant greenhouse gases in any material that was used in the process.

b = the amount of VOC or each individual gas comprising the pollutant greenhouse gases incorporated permanently into the product. This includes VOCs or each individual gas comprising the pollutant greenhouse gases chemically transformed in production. It does not include latent VOC or each individual gas comprising the pollutant greenhouse gases remaining in the product that will at some time be released to the atmosphere. An explanation of this calculation must also be submitted.

c = the amount of VOC or each individual gas comprising the pollutant greenhouse gases, if any, leaving the process as waste, or otherwise not incorporated into the product and not emitted to the air.

d = the control efficiency (percent expressed as a decimal fraction of 1.00) determined according to part 7011.0070.

[For text of item E, see M.R.]

Subp. 5. **Emissions thresholds.** The owner or operator must calculate actual emissions for the stationary source using the calculations under subpart 4 and the calculated 12-month rolling sum of actual emissions must be less than or equal to the thresholds listed in Table 3.

TABLE 3

OPTION D EMISSIONS THRESHOLDS	
POLLUTANT	THRESHOLD (ton/year)
HAP	5 tons/year for a single HAP 12.5 tons/year total for all HAPs
PM	50 tons/year
PM-10	50 tons/year for an Attainment Area 25 tons/year for a Nonattainment Area
VOC	50 tons/year

Exempt Rules

SO ₂	50 tons/year
NO _x	50 tons/year
CO	50 tons/year
Pb	0.5 tons/year
CO ₂ e	50,000 tons/year

[For text of subp 6, see M.R.]

7007.1141 CAPPED PERMIT EMISSION THRESHOLDS.

Subpart 1. Option 1 emission thresholds.

[For text of items A to F, see M.R.]

G. CO, 90 tons per year; and

H. Pb, 0.50 tons per year; and

I. CO₂e, 90,000 tons per year.

Subp. 2. Option 2 emission thresholds.

[For text of items A to F, see M.R.]

G. CO, 85 tons per year; and

H. Pb, 0.50 tons per year; and

I. CO₂e, 85,000 tons per year.

7007.1146 CAPPED PERMIT COMPLIANCE REQUIREMENTS.

[For text of subp 1, see M.R.]

Subp. 2. **Record keeping requirements.** The owner or operator of a stationary source issued a capped permit shall comply with all of the requirements relevant to the stationary source in items A to G. The owner or operator of a stationary source issued a capped permit shall comply with items H and I at all times.

A. If the stationary source determined eligibility in the permit application, in whole or in part, or demonstrates compliance, in whole or in part, by using a material balance that relies on the content of materials in the calculations in part 7007.1147, the owner or operator must:

(1) record, by the last day of each month, the amount of each pollutant-containing material (for example: VOC, greenhouse gases, particulate matter of solids, or HAP) purchased or used, and the relevant pollutant content for the previous calendar month;

(2) maintain a record of the material safety data sheet (MSDS), or a signed statement from the supplier stating the maximum solids, VOC, greenhouse gases, or hazardous air pollutant content, for each pollutant-containing material purchased or used;

[For text of subitems (3) and (4), see M.R.]

[For text of items B to H, see M.R.]

I. The owner or operator of a stationary source with a capped permit must keep daily operating records that would allow the owner or operator to calculate actual emissions of any pollutant for which a threshold has been established under part 7007.1141 for that period of time not previously accounted for in the 12-month rolling sum calculation required under item H. The owner or operator shall provide these records and calculations if requested to do so by the commissioner. If the capped permit was issued by January 2, 2011, the owner or operator must begin record keeping for greenhouse gases on January 2, 2011.

[For text of subps 3 to 5, see M.R.]

7007.1300 INSIGNIFICANT ACTIVITIES LIST.

[For text of subp 1, see M.R.]

Exempt Rules

Subp. 2. **Insignificant activities not required to be listed.** The activities described in this subpart are not required to be listed in a permit application under part 7007.0500, subpart 2, item C, subitem (2).

A. Fuel use:

- (1) production of hot water for on-site personal use not related to any industrial process;
- (2) fuel use related to food preparation by a restaurant or cafeteria; and

(3) fuel burning equipment with a capacity less than ~~30,000~~ 19,000 Btu per hour, but only if the combined total capacity of all fuel burning equipment at the stationary source with a capacity less than ~~30,000~~ 19,000 Btu per hour is less than or equal to ~~500,000~~ 420,000 Btu per hour. For example: Facility A has ten fuel burning emission units, each with a capacity of ~~25,000~~ 18,000 Btu per hour. The ten units are all an insignificant activity under this subitem, because their combined capacity is less than ~~500,000~~ 420,000 Btu per hour (i.e., $10 \times 25,000$ 18,000 Btu/hr = ~~250,000~~ 180,000 Btu/hr < ~~500,000~~ 420,000 Btu/hr). Facility B has ~~21~~ 31 fuel burning emission units, each with a capacity of ~~25,000~~ 18,000 Btu/hr. None of the ~~21~~ 31 units are an insignificant activity under this subitem, because their total combined capacity is greater than ~~500,000~~ 420,000 Btu per hour (i.e., $21 \times 25,000$ 18,000 Btu/hr = ~~525,000~~ 558,000 Btu/hr > ~~500,000~~ 420,000 Btu/hr).

[For text of items B to F, see M.R.]

G. Residential activities: typical emissions from residential structures, not including:

- (1) fuel burning equipment with a total capacity of ~~500,000~~ 420,000 Btu/hour or greater; and
- (2) emergency backup generators.

[For text of items H to K, see M.R.]

Subp. 3. **Insignificant activities required to be listed.** The activities described in this subpart must be listed in a permit application, and calculation of emissions from these activities shall be provided if required by the agency, under part 7007.0500, subpart 2, item C, subitem (2). If emissions units listed in this subpart are subject to additional requirements under section 114(a)(3) of the act (Monitoring Requirements) or section 112 of the act (Hazardous Air Pollutants), or if part of a title I modification, or, if accounted for, make a stationary source subject to a part 70 permit, emissions from the emissions units must be calculated in the permit application.

A. Fuel use: space heaters fueled by kerosene, natural gas, or propane, but only if the combined total capacity of all space heaters at the stationary source is less than or equal to 420,000 Btu per hour. A space heater is a heating unit that is not connected to piping or ducting to distribute the heat.

B. Furnaces and boilers:

- (1) infrared electric ovens; and

(2) ~~fuel-burning indirect heating~~ equipment with a capacity less than ~~500,000~~ 420,000 Btu per hour, but only if the total combined capacity of all ~~fuel-burning indirect heating~~ equipment at the stationary source with a capacity less than ~~500,000~~ 420,000 Btu per hour is less than or equal to ~~2,000,000~~ 1,400,000 Btu per hour. For example: Facility A has three ~~fuel-burning emission units~~ furnaces, each with a capacity of 400,000 Btu per hour. The three units are all an insignificant activity to be listed under this subitem, because their combined capacity is less than ~~2,000,000~~ 1,400,000 Btu per hour. Facility B has six ~~fuel-burning emission units~~ furnaces, each with a capacity of 400,000 Btu per hour. None of the six units is an insignificant activity under this subitem, because their total combined capacity is greater than ~~2,000,000~~ 1,400,000 Btu per hour. For purposes of this subitem, "indirect heating equipment" has the meaning given under part 7011.0500, subpart 9.

[For text of items C to H, see M.R.]

I. Individual emission units at a stationary source, each of which have a potential to emit the following pollutants in amounts less than:

- (1) 4,000 pounds per year of carbon monoxide; and
- (2) 2,000 pounds per year each of nitrogen oxide, sulfur dioxide, particulate matter, particulate matter less than ten microns, VOCs (including hazardous air pollutant-containing VOCs), and ozone; and

(3) 1,000 tons per year of CO₂e

[For text of items J and K, see M.R.]

Exempt Rules

Subp. 4. **Insignificant activities required to be listed in a part 70 application.** If a facility is applying for a part 70 permit, emissions units with emissions less than all the following limits but not included in subpart 2 must be listed in a part 70 permit application:

A. potential emissions of 5.7 pounds per hour or actual emissions of two tons per year of carbon monoxide;

B. potential emissions of 2.28 pounds per hour or actual emissions of one ton per year for particulate matter, particulate matter less than ten microns, nitrogen oxide, sulfur dioxide, and VOCs; and

C. for hazardous air pollutants, emissions units with:

(1) potential emissions of 25 percent or less of the hazardous air pollutant thresholds listed in subpart 5; or

(2) combined HAP actual emissions of one ton per year unless the emissions unit emits one or more of the following HAPs: carbon tetrachloride; 1,2-dibromo-3-chloropropane; ethylene dibromide; hexachlorobenzene; polycyclic organic matter; antimony compounds; arsenic compounds, including inorganic arsine; cadmium compounds; chromium compounds; lead compounds; manganese compounds; mercury compounds; nickel compounds; selenium compounds; 2,3,7,8-tetrachlorodibenzo-p-dioxin; or dibenzofuran. If the emissions unit emits one or more of the HAPs listed in this subitem, the emissions unit is not an insignificant activity under this subitem; and

D. potential emissions up to 10,000 tons per year or actual emissions up to 1,000 tons per year CO₂e.

Calculation of emissions from the emissions units listed in this subpart shall be provided if required by the agency under part 7007.0500, subpart 2, item C, subitem (2). If emissions units listed under this subpart are subject to additional requirements under section 114(a)(3) of the act (Monitoring Requirements) or section 112 of the act (Hazardous Air Pollutants), or are part of a title I modification, or if accounted for, make a stationary source subject to a part 70 permit emissions from the emissions units must be calculated in the permit application. If the applicant is applying for a state permit or an amendment to a state permit, this subpart does not apply.

[For text of subp 5, see M.R.]

7007.1450 MINOR AND MODERATE PERMIT AMENDMENTS.

[For text of subp 1, see M.R.]

Subp. 2. **Minor amendment applicability.** Except as provided in subpart 1, the agency may amend a permit to allow a modification under the minor permit amendment process of this part; if the modification will not cause an increase in emissions of an air pollutant listed below in an amount greater than the threshold or if a regulatory change results in existing insignificant activities no longer qualifying as such, to incorporate those emission units or activities into the facility's permit:

Pollutant	Threshold
NO _x	9.13 pounds per hour
SO ₂	9.13 pounds per hour
VOCs	9.13 pounds per hour
PM-10	3.42 pounds per hour
CO	22.80 pounds per hour
Lead	.11 pounds per hour

For purposes of this part, whether or not the modification will cause an increase in emissions shall be calculated as described in part 7007.1200. Modifications which would otherwise qualify for a minor or moderate amendment under this part may be title I modifications, for which a major amendment is required, using the methods of calculation required under title I of the act. Permittees are reminded to review the definition of title I modifications and requirements of title I of the act.

[For text of subp 3, see M.R.]

Subp. 4. **Minor or moderate application requirements.** An application requesting the use of minor or moderate permit amendment procedures shall meet the requirements of part 7007.0600, subpart 1, and shall also include the following:

A. a description of the modification or regulatory change, the emissions resulting from the modification, the emission units or activities affected by the regulatory change, and any new applicable requirements that will apply if the modification occurs;

Exempt Rules

[For text of items B to E, see M.R.]

[For text of subps 5 to 9, see M.R.]

EFFECTIVE PERIOD. The amendments to *Minnesota Rules*, parts 7005.0100 to 7007.1450, are effective for a period of two years from publication in the *State Register*.

Executive Orders

The governor has the authority to issue written statements or orders, called Executive Orders, as well as Emergency Executive Orders. The governor's authority is specified in the *Constitution of the State of Minnesota*, Article V, and in *Minnesota Statutes* § 4.035. Emergency Executive Orders, for protection from an imminent threat to health and safety, become effective immediately, are filed with the secretary of state, and published in the *State Register* as soon as possible after they are issued. Other Executive Orders become effective 15 days after publication in the *State Register* and filing with the secretary of state. Unless otherwise specified, an executive order expires 90 days after the date the governor who issued the order vacates office.

Office of the Governor

Executive Order #11-03: Assigning Emergency Responsibilities to State Agencies; Rescinding Executive Order 10-06

I, MARK DAYTON, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and the applicable statutes, including *Minnesota Statutes* 2010, Chapter 12, do hereby issue this Executive Order:

WHEREAS, natural and technological disasters and emergencies have and may occur in any part of the state; and

WHEREAS, national and international events, such as conflict or threats of terrorism can increase the need for emergency preparedness within the state; and

WHEREAS, state agencies may be called upon to respond to and/or assist in the recovery from the effects of these emergency situations and disasters;

NOW, THEREFORE, I hereby order that:

1. Each department and independent state agency included in this Executive Order shall designate a member of its staff as its emergency preparedness response contact/coordinator (EPRC/C). Such individual shall serve as the point of contact for the Division of Homeland Security and Emergency Management and other state agencies with regard to emergency preparedness and response issues, and shall represent that agency on the Minnesota Emergency Preparedness and Response Committee (EPRC).

2. Each department, independent division, bureau, board, commission and independent institution of the State government, hereinafter referred to as "agency," shall carry out the general emergency preparedness, planning, response, recovery, hazard mitigation continuity of operations and service continuation responsibilities described in this Executive Order, the specific emergency assignments contained in the Minnesota Emergency Operations Plan, the State All-Hazard Mitigation Plan and such other duties as may be requested

GHG Emissions from Insignificant Activities

SONAR Exhibit 3.6

7007.1300 Combustion or emission threshold IAs

2(A)	30,000 Btu/hr; 500,000 Btu/hr total
2(G)(1)	if less than 500,000 Btu/hr
3(A)	space heaters, no size restrictions
3(B)	500,000 Btu/hr each; 2 MMBtu/hr total
3(I)	PTE of 2 tpy of CO; 1 tpy of NOx, VOC, SOx, PM10
4	PTE of 2.28 lb/hr or actuals of 1 tpy, of NOx, SOx, VOC, PM10;
(pt 70 only)	PTE of 5.57 lb/hr or actuals of 2 tpy CO

Proposal

reduce to maintain ratio
 reduce to maintain ratio
 add size restrictions, same as revised 3(B)
 reduce to maintain ratio
 add a CO₂e threshold at 1% of the threshold
 add a CO₂e threshold at same % as other pollutants
 PTE is 10%, actuals are 1% (for all but CO)

Maintaining boiler size-to-threshold ratio (see below)
 propose to change to

30,000	19,000
500,000	420,000
2,000,000	1,400,000

Add total MMBtu/hr threshold of 1.4 MMBtu/hr to 3(A)

Nearly all insignificant combustion units burn natural gas, so it is reasonable to use this fuel type for ratioing.

7007.1300, subp. 2(A) - 30,000 BTU/hr

MMBtu/hr 0.03
 gas heat value 1011 btu/scf

	Natural Gas, industrial < 10 MMBtu/hr		
	EF (lb/MMSCF)	lb/hr	tpy
PM	7.6	0.000	0.001
PM ₁₀	7.6	0.000	0.001
NO ₂	100	0.003	0.013
SO ₂	0.6	0.000	0.000
CO	84	0.002	0.011
VOC	5.5	0.000	0.001

Fuel Type % of Pt. 70 threshold
 Nat Gas 0.01% NO₂

If we maintain combustion unit size to threshold ratio:

	Btu/hr	tpy CO ₂ e	of threshold
natural gas	19,119	10	0.01%

7007.1300, subp 2(A) and 2(G)(1) and 7007.1300, subp. 3(B) - 500,000 Btu/hr

MMBtu/hr 0.5
 gas heat value 1011 btu/scf

	Natural Gas, industrial < 10 MMBtu/hr		
	EF (lb/MMSCF)	lb/hr	tpy
PM	7.6	0.0038	0.0165
PM ₁₀	7.6	0.0038	0.0165
NO ₂	100	0.0495	0.22
SO ₂	0.6	0.0003	0.0013
CO	84	0.0415	0.18
VOC	5.5	0.0027	0.0119

Fuel Type % of Pt. 70 threshold
 Nat Gas 0.22% NO₂

If we maintain combustion unit size to threshold ratio:

	Btu/hr	tpy CO ₂ e	of threshold
natural gas	420,614	220	0.22%

GHG Emissions from Insignificant Activities

7007.1300, subp. 3(B) - 2 MMBtu/hr

MMBtu/hr

2

gas heat value

1011 btu/scf

btu/scf

	Natural Gas, industrial < 10 MMBtu/hr		
	EF (lb/MMSCF)	lb/hr	tpy
PM	7.6	0.0150	0.0659
PM ₁₀	7.6	0.0150	0.0659
NO ₂	100	0.1978	0.87
SO ₂	0.6	0.0012	0.0052
CO	84	0.1662	0.73
VOC	5.5	0.0109	0.0477

Fuel Type

% of Pt. 70 threshold

Nat Gas

0.87% NO₂

If we maintain combustion unit size to threshold ratio:

	Btu/hr	tpy CO ₂ e	of threshold
natural gas	1,395,673	730	0.87%

Factors are all from AP-42

Natural Gas CO ₂ e factor	CO ₂	Methane	N ₂ O	Total Factor
	120,000	2.3	2.2	
GWP	1	21	310	
Weighted factors	120,000	48.3	682	120,730 lb/10E6 scf 119 lb/MMBtu

EXHIBIT 4

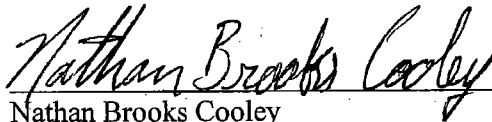
Minnesota Pollution Control Agency

CERTIFICATE OF MAILING THE STATEMENT OF NEED AND REASONABLENESS TO THE LEGISLATIVE REFERENCE LIBRARY

Dual Notice: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing are Received

Proposed Amendment to Agency Rules Implementing Permanent Federal Air Permit Threshold Regulatory Relief for Greenhouse Gases (GHGs), and Clarifying when Permits Apply to Owners & Operators, *Minnesota Rules*, chs. 7005 Definitions and Abbreviations, 7007 Permits and Offsets, and 7011 Standards For Stationary Sources (parts 7005.0100, 7007.0050, 7007.0100, 7007.0150, 7007.0200, 7007.0250, 7007.0300, 7007.0325, 7007.0350, 7007.0400, 7007.0500, 7007.0750, 7007.0800, 7007.0950, 7007.1050, 7007.1100, 7007.1105, 7007.1107, 7007.1110, 7007.1115, 7007.1120, 7007.1125, 7007.1130, 7007.1140, 7007.1141, 7007.1142, 7007.1145, 7007.1146, 7007.1150, 7007.1300, 7007.1400, 7007.1450, 7007.1500, 7007.1850, 7011.2305, 7011.2310 and possibly related parts)

I certify that on July 6, 2012, when the Statement of Need and Reasonableness became available to the public, I submitted an electronic copy of the Statement to the Legislative Reference Library via e-mail to sonars@lrl.leg.mn. I mailed this copy to comply with Minnesota Statutes, sections 14.131 and 14.23. A copy of the cover letter is attached to this Certificate.


Nathan Brooks Cooley
Rules Coordinator

Cooley, Nathan (MPCA)

From: Cooley, Nathan (MPCA)
It: Friday, July 06, 2012 8:13 AM
To: 'sonars@lrl.leg.mn'
Subject: Proposed Greenhouse Gas Rules
Attachments: Untitled; lrl Letter to Legis Law Library.docx

Attached, please find an email containing PDF versions of Rules, SONAR and Dual Notice for rules to be proposed in State Register on July 9, 2012. I've also attached a transmittal letter. Please advise if you need anything additional.
Thanks

Nathan Brooks Cooley

Rules Coordinator

651-757-2290 v

651-297-8676 x



Minnesota Pollution Control Agency

July 6, 2012

Legislative Reference Library
645 State Office Building
100 Constitution Avenue
St. Paul, Minnesota 55155

Re: Proposed Amendment to Agency Rules Implementing Permanent Federal Air Permit Threshold Regulatory Relief for Greenhouse Gases (GHGs), and Clarifying when Permits Apply to Owners & Operators, *Minnesota Rules*, chs. 7005 Definitions and Abbreviations, 7007 Permits and Offsets, and 7011 Standards For Stationary Sources (parts 7005.0100, 7007.0050, 7007.0100, 7007.0150, 7007.0200, 7007.0250, 7007.0300, 7007.0325, 7007.0350, 7007.0400, 7007.0500, 7007.0750, 7007.0800, 7007.0950, 7007.1050, 7007.1100, 7007.1105, 7007.1107, 7007.1110, 7007.1115, 7007.1120, 7007.1125, 7007.1130, 7007.1140, 7007.1141, 7007.1142, 7007.1145, 7007.1146, 7007.1150, 7007.1300, 7007.1400, 7007.1450, 7007.1500, 7007.1850, 7011.2305, 7011.2310 and possibly related parts); Governor's Tracking #AR 1015

Dear Librarian:

The Minnesota Pollution Control Agency intends to adopt the above described rules. We plan to publish a Dual Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing are Received in the July 9, 2012 State Register.

The Agency has prepared a Statement of Need and Reasonableness. As required by Minnesota Statutes, sections 14.131 and 14.23, the Agency is sending the Library an electronic copy of the Statement of Need and Reasonableness at the same time we are mailing our Notice of Intent to Adopt Rules.

If you have questions, please contact me at 651-757-2290.

Yours very truly,

Nathan Brooks Cooley
Rules Coordinator

Enclosure: Statement of Need and Reasonableness

Cooley, Nathan (MPCA)

From: Cooley, Nathan (MPCA)
Date: Thursday, July 05, 2012 11:13 AM
To: Gardner-Pritchard, Wendy (MPCA); PCA, WebTeam (MPCA)
Attachments: aq-rule4-05b sonar.pdf; aq-rule4-05c pn.pdf; aq-rule4005d rules.pdf

Attached are the 3-PDF documents that need to go on the Web notices page July 9, 2012, and then on the Greenhouse Gas Web page after July 9, 2012. I have the signed versions if signatures are necessary (as I recall, these are not necessary for the Web versions?).

Thanks

Nathan Brooks Cooley

Rules Coordinator

651-757-2290 v

651-297-8676 x



Minnesota Pollution Control Agency

EXHIBIT 5

Minnesota Pollution Control Agency

Dual Notice: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing are Received

Proposed Amendment to Agency Rules Implementing Permanent Federal Air Permit Threshold Regulatory Relief for Greenhouse Gases (GHGs), and Clarifying when Permits Apply to Owners & Operators, *Minnesota Rules*, chs. 7005 Definitions and Abbreviations, 7007 Permits and Offsets, and 7011 Standards For Stationary Sources (parts 7005.0100, 7007.0050, 7007.0100, 7007.0150, 7007.0200, 7007.0250, 7007.0300, 7007.0325, 7007.0350, 7007.0400, 7007.0500, 7007.0750, 7007.0800, 7007.0950, 7007.1050, 7007.1100, 7007.1105, 7007.1107, 7007.1110, 7007.1115, 7007.1120, 7007.1125, 7007.1130, 7007.1140, 7007.1141, 7007.1142, 7007.1145, 7007.1146, 7007.1150, 7007.1300, 7007.1400, 7007.1450, 7007.1500, 7007.1850, 7011.2305, 7011.2310 and possibly related parts)

Introduction

The Minnesota Pollution Control Agency intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on August 10, 2012, the Agency will hold a public hearing in the boardroom, of its St. Paul office at 520 Lafayette Road, St. Paul, Minnesota 55155, starting at 2:00 p.m. on Thursday, August 30, 2012. To find out whether the Agency will adopt the rules without a hearing or if it will hold the hearing, you should contact the Agency contact person after August 10, 2012, and before August 30, 2012.

Agency Contact Person

Submit any comments or questions on the rules or written requests for a public hearing to the Agency contact person. The Agency contact person is: Nathan Cooley at the Minnesota Pollution Control Agency, 520 Lafayette Road, St. Paul, Minnesota 55155, and telephone: 651-757-2290, Fax: 651-297-8676, and *e-mail*: nathan.cooley@state.mn.us. TTY users may call the Minnesota Pollution Control Agency at 651-282-5332 or 800-657-3864.

Subject of Rules and Statutory Authority

The Agency proposes to make permanent certain amendments to *Minnesota Rules*, chapters 7005, 7007, and 7011 that it first adopted temporarily in January 2011. These rules implemented United States Environmental Protection Agency-promulgated regulations under the federal Clean Air Act. The EPA regulations required air permits to address the emission of "greenhouse gas" (GHG) emissions.

The Agency's air permitting programs require federal approval and the Agency must ultimately maintain alignment of its air permitting programs with the corresponding federal programs. For program consistency, the Agency proposes adopting the GHG amendments. The proposed amendments also limit applicability of the GHG permit requirements to larger sources. Without the increased GHG thresholds in these proposed rules, many small sources such as residences, hospitals, schools or restaurants would require a GHG permit.

In January, 2011, the Agency had temporarily adopted these federal GHG permitting rules using an expedited process and is now using its standard rulemaking process to make those temporary rules permanent. The Agency also proposes the following amendments not included in the temporary rules:

1. The Agency proposes adopting recently-promulgated federal performance standards for new, stationary, spark-ignition internal combustion engines to further align Agency and federal air permitting programs. Adopting these performance standards will allow these sources to hold a more streamlined registration permit instead of being subject to a more complicated individual facility permit.
2. Existing *Minnesota Rule* part 7007.0500, subpart 2, requires both owners and operators of potential air emission sources to apply jointly for an air permit. The Agency proposes clarifying this throughout existing rules by revising applicable rules to read "owner(s) ~~or~~ and operator(s)." Current language has resulted in improper permit applications. Proposed clarifications reflect the original intent of the rules. This clarification addresses only the need to jointly apply and to jointly hold an air permit; the day-to-day compliance activities such as maintenance, monitoring, testing and reporting may be conducted by either the owner or the operator.

The Agency's statutory authority to adopt these rules is found in Minnesota Statute § 116.07, subdivision 4(a). The Agency posted proposed rules on its public notices website: www.pca.state.mn.us/index.php/about-mpca/mpca-news/public-notice/public-notice.html and provides a link to proposed rules in the e-mailed notice. A free copy of the rules is available upon request.

Comments

You have until 4:30 p.m. on Friday, August 10, 2012, to submit written comments in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the Agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change that you desire. You must also make any comments about the legality of the proposed rules during this comment period.

Request for a Hearing

In addition to submitting comments, you may also request that the Agency hold a hearing on the rules. You must make your request for a public hearing in writing, which the Agency contact person must receive by 4:30 p.m. on Friday, August 10, 2012. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the Agency cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

Withdrawal of Requests

If 25 or more persons submit a valid written request for a hearing, the Agency will hold a public hearing unless a sufficient number of persons withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the Agency must give written notice of this to all persons who requested a hearing, explain the actions the Agency took to affect the withdrawal, and ask

for written comments on this action. If a public hearing is required, the Agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Alternative Format/Accommodation

Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request or if you need an accommodation to make this hearing accessible, please contact the Agency contact person at the address or telephone number listed above.

Modifications

The Agency may modify the proposed rules, either as a result of public comment or as a result of the rule hearing process. It must support modifications by data and views submitted to the Agency or presented at the hearing. The adopted rules may not be substantially different than these proposed rules unless the Agency follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Agency encourages you to participate in the rulemaking process.

Cancellation of Hearing

The Agency will cancel the hearing scheduled for August 30, 2012, if the Agency does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the Agency will notify you before the scheduled hearing whether the hearing will be held. You may also call the Agency contact person at 651-757-2290 after August 10, 2012, to find out whether the hearing will be held. On the scheduled day, you may check for whether the hearing will be held by calling 651-757-2290.

Notice of Hearing

If 25 or more persons submit valid written requests for a public hearing on the rules, the Agency will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The Agency will hold the hearing on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge, the Honorable Manuel J. Cervantes, is assigned to conduct the hearing. Judge Cervantes can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, telephone: 651-361-7945, and Fax: 651-361-7936.

Hearing Procedure

If the Agency holds a hearing, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the hearing record closes. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. At the hearing the Administrative Law Judge may order that this five-day comment period be extended for a longer period but not more than 20 calendar days. Following the comment period, there is a five-working-day rebuttal period when the Agency and any interested person may respond in writing to any new information submitted. No one may submit additional evidence during the five-day rebuttal period. The Office of Administrative Hearings must receive all comments and responses submitted to the Administrative Law Judge no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. You may direct questions about the procedure to the Administrative Law Judge.

The Agency requests that any person submitting written views or data to the Administrative Law Judge before the hearing or during the comment or rebuttal period also submit a copy of the written views or data to the Agency contact person at the address stated above.

Statement of Need and Reasonableness

The statement of need and reasonableness summarizes the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the Agency contact person. You may review or obtain copies for the cost of reproduction by contacting the Agency contact person. The Agency also posted the SONAR on its public notices website: www.pca.state.mn.us/index.php/about-mpca/mpca-news/public-notices/public-notices.html.

Lobbyist Registration

Minnesota Statutes, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Ask any questions about this requirement of the Campaign Finance and Public Disclosure Board at: Suite 190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone 651-296-5148 or 1-800-657-3889.

Adoption Procedure if No Hearing

If no hearing is required, the Agency may adopt the rules after the end of the comment period. The Agency will submit the rules and supporting documents to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the rules are submitted to the office. If you want either to receive notice of this, to receive a copy of the adopted rules, or to register with the Agency to receive notice of future rule proceedings, submit your request to the Agency contact person listed above.

Adoption Procedure after a Hearing

If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date that the Administrative Law Judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date that the Agency adopts the rules and the rules are filed with the Secretary of State by requesting this at the hearing or by writing to the Agency contact person stated above.

Order: I order that the rulemaking hearing be held at the date, time, and location listed above.

7/3/12
Date

Michelle Beeman
Michelle Beeman
Deputy Commissioner
Minnesota Pollution Control Agency

Affidavit of Publication

in Minnesota's *State Register*

State of Minnesota)

County of Ramsey)

City of St. Paul)

IT IS HEREBY SWORN, that I, the undersigned Business Representative,
as Authorized Representative of the *State Register*, published by the State
of Minnesota, Department of Administration, Plant Management
Division, Minnesota's Bookstore, hereby certify that the attached
State Register magazine is a true and correct copy wherein was printed:

Proposed Amendment to Agency Rules
Implementing Permanent Federal Air Permit Threshold
Regulatory Relief for Greenhouse Gases (GHGs),
and Clarifying when Permits Apply to Owners and Operators

The above-named notice(s) appeared on page(s) 47,
Vol. 37, number 2, on Monday 9 July 2012.

That notice was submitted for publication in the *State Register* by:

Nathan Cooley, Rules Coordinator, Municipal Division,
Minnesota Pollution Control Agency,

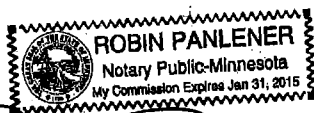
as authorized representative of:

Minnesota Pollution Control Agency
Municipal Division
520 Lafayette Road,
St. Paul, Minnesota 55155

and was published in the form authorized by the submitting agency's representa-
tive and according to the established format of the editor of the *State Register*.

Dated: Monday 9 July, 2012

Notary:



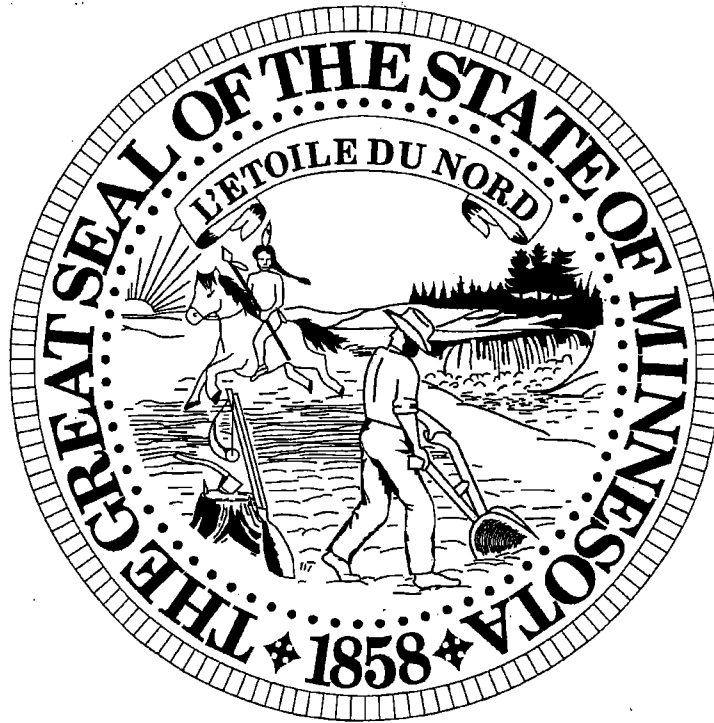
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State of Minnesota

State Register



**Proposed, Adopted, & Expedited Rules; Executive Orders; Appointments;
Commissioners' Orders; Revenue Notices; Official Notices;
State Grants & Loans; State Contracts; Non-State Public Bids, Contracts & Grants**
Published every Monday (Tuesday when Monday is a holiday)

**Monday 9 July 2012
Volume 37, Number 2
Pages 43 - 66**

State Register

Judicial Notice Shall Be Taken of Material Published in the State Register

The *State Register* is the official publication of the State of Minnesota's Executive Branch of government, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes*, Chapter 14, and *Minnesota Rules*, Chapter 1400. The *State Register* contains:

- Proposed Rules
- Adopted Rules
- Exempt Rules
- Expedited Rules
- Withdrawn Rules
- Vetoed Rules
- Executive Orders of the Governor
- Appointments
- Proclamations
- Commissioners' Orders
- Revenue Notices
- Official Notices
- State Grants and Loans
- Contracts for Professional, Technical and Consulting Services
- Non-state Public Bids, Contracts and Grants

Printing Schedule and Submission Deadlines

Vol. 37 Issue Number	PUBLISH DATE (BOLDFACE shows altered publish date)	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for Proposed, Adopted and Exempt RULES
# 3	Monday 16 July	Noon Tuesday 10 July	NOON TUESDAY 3 JULY (FY-13)
# 4	Monday 23 July	Noon Tuesday 17 July	Noon Wednesday 11 July
# 5	Monday 30 July	Noon Tuesday 24 July	Noon Wednesday 18 July
# 6	Monday 6 August	Noon Tuesday 31 July	Noon Wednesday 25 July

PUBLISHING NOTICES: We need to receive your submission **ELECTRONICALLY in Microsoft WORD format**. Submit ONE COPY of your notice via e-mail to: robin.panlener@state.mn.us. State agency submissions must include a "State Register Printing Order" form, and, with contracts, a "Certification/Internal Contract Negotiation" form. Non-State Agencies should submit ONE COPY, with a letter on your letterhead stationery requesting publication and date to be published. Costs are \$10.20 per tenth of a page (columns are seven inches wide). One typewritten, double-spaced page = 4/10s of a page in the *State Register*, or \$40.80. About 2-1/2 pages typed, double-spaced, on 8-1/2"x11" paper = one typeset page in the *State Register*. Contact editor if you have questions (651) 297-7963, or e-mail: robin.panlener@state.mn.us.

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- Single issues are available for a limited time: *State Register* \$5.00.
- "Affidavit of Publication" includes a notarized "Affidavit" and a copy of the issue: \$15.00.
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State Register editor: Robin PanLener
(651) 297-7963
Assistant editor: John Mikes
(651) 297-4616
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State Capitol, Room 231, St. Paul, MN 55155
Website: www.senate.mn

House Public Information Services (651) 296-2146
State Office Building, Room 175,
100 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155
Website: www.house.leg.state.mn.us/hinfo/hinfo.htm

Minnesota State Court System

Court Information Office (651) 296-6043
MN Judicial Center, Rm. 135,
25 Rev. Dr. Martin Luther King Jr Blvd.,
St. Paul, MN 55155 Website: www.mncourts.gov

Federal Register

Office of the Federal Register (202) 512-1530; or (888) 293-6498
U.S. Government Printing Office - Fax: (202) 512-1262
Website: http://www.access.gpo.gov/su_docs/aces/aces140.html

Contents

Minnesota Rules: Amendments & Additions

Rules Index: Volume 37, #1-2: 2 July - 9 July 2012..... 46

Proposed Rules

Pollution Control Agency (MPCA)

Proposed Permanent Rules Relating to
Greenhouse Gas Permit Requirements..... 47

Official Notices

Bond Rates, Meetings, Notices and Announcements..... 50

Health Department (MDH)

Division of Environmental Health,
Environmental Surveillance and Assessment Section:
Request for Comments on Possible Amendments to Rules
Governing Health Risk Limits for Groundwater,
Minnesota Rules, Parts 4717.7860 and 4717.7500..... 51

Human Services Department (DHS)

State Operated Services Division:
Public Notices of the Disproportionate Population
Adjustment and Final Payment Rates for State
Operated Treatment Centers..... 52

Metropolitan Council

Public Information Meeting on the Proposed
Revisions to the Waste Discharge Rules for the
Metropolitan Disposal System..... 53

Natural Resources Department (DNR)

Meeting of the Land Exchange Board, July 12, 2012..... 54

Public Safety Department (DPS)

Bureau of Criminal Apprehension (BCA):
Criminal Justice Information Users Conference..... 54

Transportation Department (Mn/DOT)

Engineering Services Division,
Office of Construction and Innovative Contracting:
Notices of Suspension and Debarment..... 54

State Grants & Loans

Market Your Grants and Loans..... 55

Employment and Economic Development Department (DEED)

Minnesota Housing Finance Agency (MHFA)
Minnesota Department of Human Services (DHS)
Public Hearings and Draft Availability of State of
Minnesota 2013 Housing and Community
Development Annual Action Plan (ACTION PLAN)
and Consolidated Annual Performance and Evaluation
Report (CAPER) for 2012..... 56

State Contracts

Vendors and Consultants..... 57

Colleges and Universities, Minnesota State (MnSCU)

Riverland Community College:
Request for Bids for Waste Removal..... 58

St. Cloud Technical & Community College:

Request for Proposal for Early Alert System..... 59

Commerce Department

Availability of Contract for Methodological Development
of an Exchange Insurer and Qualified Health Plan
Quality Rating System and Enrollee Satisfaction
Survey System..... 60

Natural Resources Department (DNR)

Availability of Contract for Geochemical Analyses..... 60

Availability of Contract for USACE Lock and Dam No. 1

- Fish Barrier..... 61

State Court Administration

Request for Proposals for e-Court MN Project Manager..... 61

Transportation Department (Mn/DOT)

Engineering Services Division:
Contracting Opportunities for a Variety of Highway
Related Technical Activities ("Consultant
Pre-Qualification Program")..... 62

Engineering Services Division:

Professional/Technical Contract Opportunities and
Taxpayers' Transportation Accountability Act Notices..... 62

Non-State Public Bids, Contracts & Grants

Contracts with Other Units of Government..... 63

Minnehaha Creek Watershed District

Request for Bid Proposals for Lake Nokomis
Outlet Reconstruction..... 63

Minnesota's Bookstore..... 64

Contract information is available from the Materials Management (MMD)
Helpline (651) 296-2600, or Web site: www.mmd.admin.state.mn.us

State Register information is available from Minnesota's Bookstore (651)
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Minnesota Rules: Amendments and Additions

NOTICE: How to Follow State Agency Rulemaking in the State Register

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, or within 60 days of the effective date of any new statutory grant of required rulemaking.

When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules, and withdrawn proposed rules, are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety, but only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive (issue #26 cumulative for issues #1-26); issues #27-38 inclusive (issue #39, cumulative for issues #1-39); issues #40-52 inclusive, with final index (#1-52, or 53 in some years). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 660 Olive Street (one block east of I-35E and one block north of University Ave), St. Paul, MN 55155, phone: (612) 297-3000, or toll-free 1-800-657-3757. TTY relay service phone number: (800) 627-3529.

Minnesota Rules appearing in Volume 37, #1-2 Monday 2 July - 9 July 2012

Labor and Industry Department (DLI) - Plumbing Board

4716.0010; .0070; .0071; .0072; .0090; .0091; .0092; .0200; .0205;
.0210 (adopted)..... 5

Labor and Industry Department (DLI) - OSHA

5205.0010 (proposed exempt)..... 8

Minnesota Pollution Control Agency

7005.0100; 7007.0050; .0100; .0150; .0200; .0250; .0300; .0325; .0350;
.0400; .0500; .0750; .0800; .0950; .1050; .1100; .1105; .1107; .1110;
.1115; .1120; .1125; .1130; .1140; .1141; .1142; .1145; .1146; .1150;
.1300; .1400; .1450; .1500; .1850; 7011.2305; .2310 (proposed).... 47
7011.3520 (proposed repealer)..... 47

Proposed Rules

Comments on Planned Rules or Rule Amendments. An agency must first solicit Comments on Planned Rules or Comments on Planned Rule Amendments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

Rules to be Adopted After a Hearing. After receiving comments and deciding to hold a public hearing on the rule, an agency drafts its rule. It then publishes its rules with a notice of hearing. All persons wishing to make a statement must register at the hearing. Anyone who wishes to submit written comments may do so at the hearing, or within five working days of the close of the hearing. Administrative law judges may, during the hearing, extend the period for receiving comments up to 20 calendar days. For five business days after the submission period the agency and interested persons may respond to any new information submitted during the written submission period and the record then is closed. The administrative law judge prepares a report within 30 days, stating findings of fact, conclusions and recommendations. After receiving the report, the agency decides whether to adopt, withdraw or modify the proposed rule based on consideration of the comments made during the rule hearing procedure and the report of the administrative law judge. The agency must wait five days after receiving the report before taking any action.

Rules to be Adopted Without a Hearing. Pursuant to *Minnesota Statutes* § 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing. An agency must first solicit Comments on Planned Rules or Comments on Planned Rule Amendments from the public. The agency then publishes a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

KEY: Proposed Rules - Underlining indicates additions to existing rule language. ~~Strikethrough~~ indicates deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **Adopted Rules** - Underlining indicates additions to proposed rule language. ~~Strikethrough~~ indicates deletions from proposed rule language.

Minnesota Pollution Control Agency (MPCA) Proposed Permanent Rules Relating to Greenhouse Gas Permit Requirements

DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing are Received

Proposed Amendment to Agency Rules Implementing Permanent Federal Air Permit Threshold Regulatory Relief for Greenhouse Gases (GHGs), and Clarifying when Permits Apply to Owners & Operators, Minnesota Rules, chs. 7005 Definitions and Abbreviations, 7007 Permits and Offsets, and 7011 Standards For Stationary Sources (parts 7005.0100, 7007.0050, 7007.0100, 7007.0150, 7007.0200, 7007.0250, 7007.0300, 7007.0325, 7007.0350, 7007.0400, 7007.0500, 7007.0750, 7007.0800, 7007.0950, 7007.1050, 7007.1100, 7007.1105, 7007.1107, 7007.1110, 7007.1115, 7007.1120, 7007.1125, 7007.1130, 7007.1140, 7007.1141, 7007.1142, 7007.1145, 7007.1146, 7007.1150, 7007.1300, 7007.1400, 7007.1450, 7007.1500, 7007.1850, 7011.2305, 7011.2310 and possibly related parts)

Introduction

The Minnesota Pollution Control Agency intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on August 10, 2012, the Agency will hold a public hearing in the boardroom, of its St. Paul office at 520 Lafayette Road, St. Paul, Minnesota 55155, starting at 2:00 p.m. on Thursday, August 30, 2012. To find out whether the Agency will adopt the rules without a hearing or if it will hold the hearing, you should contact the Agency contact person after August 10, 2012, and before August 30, 2012.

Agency Contact Person

Submit any comments or questions on the rules or written requests for a public hearing to the Agency contact person. The Agency contact person is: Nathan Cooley at the Minnesota Pollution Control Agency, 520 Lafayette Road, St. Paul, Minnesota 55155, and telephone: (651) 757-2290, fax: (651) 297-8676, and e-mail: nathan.cooley@state.mn.us. TTY users may call the Minnesota Pollution Control Agency at (651) 282-5332 or 1-800-657-3864.

Subject of Rules and Statutory Authority

The Agency proposes to make permanent certain amendments to *Minnesota Rules*, chapters 7005, 7007, and 7011 that it first adopted

Proposed Rules

temporarily in January 2011. These rules implemented United States Environmental Protection Agency-promulgated regulations under the federal Clean Air Act. The EPA regulations required air permits to address the emission of "greenhouse gas" (GHG) emissions.

The Agency's air permitting programs require federal approval and the Agency must ultimately maintain alignment of its air permitting programs with the corresponding federal programs. For program consistency, the Agency proposes adopting the GHG amendments. The proposed amendments also limit applicability of the GHG permit requirements to larger sources. Without the increased GHG thresholds in these proposed rules, many small sources such as residences, hospitals, schools or restaurants would require a GHG permit.

In January, 2011, the Agency had temporarily adopted these federal GHG permitting rules using an expedited process and is now using its standard rulemaking process to make those temporary rules permanent. The Agency also proposes the following amendments not included in the temporary rules:

1. The Agency proposes adopting recently-promulgated federal performance standards for new, stationary, spark-ignition internal combustion engines to further align Agency and federal air permitting programs. Adopting these performance standards will allow these sources to hold a more streamlined registration permit instead of being subject to a more complicated individual facility permit.

2. Existing *Minnesota Rule* part 7007.0500, subpart 2, requires both owners and operators of potential air emission sources to apply jointly for an air permit. The Agency proposes clarifying this throughout existing rules by revising applicable rules to read "owner(s) or and operator(s)." Current language has resulted in improper permit applications. Proposed clarifications reflect the original intent of the rules. This clarification addresses only the need to jointly apply and to jointly hold an air permit; the day-to-day compliance activities such as maintenance, monitoring, testing and reporting may be conducted by either the owner or the operator.

The Agency's statutory authority to adopt these rules is found in Minnesota Statute § 116.07, subdivision 4(a). The Agency posted proposed rules on its public notices website:

www.pca.state.mn.us/index.php/about-mpca/mpca-news/public-notice/public-notice.html

and provides a link to proposed rules in the e-mailed notice. A free copy of the rules is available upon request.

Comments

You have until 4:30 p.m. on Friday, August 10, 2012, to submit written comments in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the Agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change that you desire. You must also make any comments about the legality of the proposed rules during this comment period.

Request for a Hearing

In addition to submitting comments, you may also request that the Agency hold a hearing on the rules. You must make your request for a public hearing in writing, which the Agency contact person must receive by 4:30 p.m. on Friday, August 10, 2012. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the Agency cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

Withdrawal of Requests

If 25 or more persons submit a valid written request for a hearing, the Agency will hold a public hearing unless a sufficient number of persons withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the Agency must give written notice of this to all persons who requested a hearing, explain the actions the Agency took to affect the withdrawal, and ask for written comments on this action. If a public hearing is required, the Agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Alternative Format/Accommodation

Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request or if you need an accommodation to make this hearing accessible, please contact the Agency contact person at the address or telephone number listed above.

Proposed Rules

Modifications

The Agency may modify the proposed rules, either as a result of public comment or as a result of the rule hearing process. It must support modifications by data and views submitted to the Agency or presented at the hearing. The adopted rules may not be substantially different than these proposed rules unless the Agency follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Agency encourages you to participate in the rulemaking process.

Cancellation of Hearing

The Agency will cancel the hearing scheduled for August 30, 2012, if the Agency does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the Agency will notify you before the scheduled hearing whether the hearing will be held. You may also call the Agency contact person at (651) 757-2290 after August 10, 2012, to find out whether the hearing will be held. On the scheduled day, you may check for whether the hearing will be held by calling (651) 757-2290.

Notice of Hearing

If 25 or more persons submit valid written requests for a public hearing on the rules, the Agency will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The Agency will hold the hearing on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge, the Honorable Manuel J. Cervantes, is assigned to conduct the hearing. Judge Cervantes can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, **telephone:** (651) 361-7945, and **fax:** (651) 361-7936.

Hearing Procedure

If the Agency holds a hearing, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the hearing record closes. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. At the hearing the Administrative Law Judge may order that this five-day comment period be extended for a longer period but not more than 20 calendar days.

Following the comment period, there is a five-working-day rebuttal period when the Agency and any interested person may respond in writing to any new information submitted. No one may submit additional evidence during the five-day rebuttal period. The Office of Administrative Hearings must receive all comments and responses submitted to the Administrative Law Judge no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. You may direct questions about the procedure to the Administrative Law Judge.

The Agency requests that any person submitting written views or data to the Administrative Law Judge before the hearing or during the comment or rebuttal period also submit a copy of the written views or data to the Agency contact person at the address stated above.

Statement of Need and Reasonableness

The statement of need and reasonableness summarizes the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the Agency contact person. You may review or obtain copies for the cost of reproduction by contacting the Agency contact person. The Agency also posted the SONAR on its public notices website:

www.pca.state.mn.us/index.php/about-mpca/mpca-news/public-notices/public-notices.html

Lobbyist Registration

Minnesota Statutes, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Ask any questions about this requirement of the Campaign Finance and Public Disclosure Board at: Suite 190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, **telephone:** (651) 296-5148 or 1-800-657-3889.

Adoption Procedure if No Hearing

If no hearing is required, the Agency may adopt the rules after the end of the comment period. The Agency will submit the rules and supporting documents to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the rules are submitted to the office. If you want either to receive notice of this, to receive a copy of the adopted rules, or to register with the Agency to receive notice of future rule proceedings, submit your request to the Agency contact person listed above.

Proposed Rules

Adoption Procedure after a Hearing

If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date that the Administrative Law Judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date that the Agency adopts the rules and the rules are filed with the Secretary of State by requesting this at the hearing or by writing to the Agency contact person stated above.

Order: I order that the rulemaking hearing be held at the date, time, and location listed above.

Dated: 3 July 2012

Michelle Beeman, Deputy Commissioner
Minnesota Pollution Control Agency

Official Notices

Pursuant to *Minnesota Statutes* §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

Bond Rates, Meetings, Notices and Announcements

The Official Notices presents a "heads up" on important state meetings, dates, issuance of bonds, rates and other announcements. The *State Register* reaches a large audience of "interested eyes" every week. Remember to publish your notices here - it only costs \$10.20 per 1/10 of a page used in the *State Register* - it's the least expensive legal advertising in the state.

All Official Notices, including the current volume as it grows, are indexed. Only subscribers can view this current index. Open the *State Register* and click on the Bookmarks icon in the upper left corner. You will see the growing index, and have fast access to all the online indices to the *State Register*. You also receive a summarized "Contracts & Grants" section showing bids and grants still open.

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- All Contracts & Grants Open for Bid
- Access to *State Register* Archives
- LINKS
- WORD SEARCH Capability

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Official Notices

Minnesota Department of Health (MDH)

Division of Environmental Health,

Environmental Surveillance and Assessment Section

REQUEST FOR COMMENTS on Possible Amendments to Rules Governing Health Risk Limits for Groundwater *Minnesota Rules*, Parts 4717.7860 and 4717.7500

Subject of Rules. The Minnesota Department of Health (MDH) requests comments on possible amendments to rules governing Health Risk Limits (HRLs) for Groundwater. The amendments will add new HRL values or replace outdated HRL values for groundwater contaminants to the existing Health Risk Limit Tables (parts 4717.7860 and 4717.7500) in the existing rule, plus any related changes necessary accomplish this.

Persons Affected. The possible amendments to the rules will likely affect risk managers in partner state and local agencies: the Minnesota Department of Agriculture (MDA), the Minnesota Pollution Control Agency (MPCA), and local public health agencies. Partner agencies rely on HRL values as one standard for environmental assessment and risk management to protect groundwater. Industries that manufacture the identified chemicals and environmental groups that monitor groundwater quality are also affected. The proposed amendments ultimately affect Minnesota residents who use groundwater for their drinking water.

Statutory Authority. The Groundwater Protection Act of 1989 (*Minnesota Statutes*, Section 103H.201) authorizes MDH to promulgate and revise health risk limits for substances degrading groundwater. The 2001 Health Standards Statute (*Minnesota Statutes*, Section 144.0751) specifies additional requirements for establishing safe drinking water standards.

Public Comment. MDH is seeking comment at this time on the specific groundwater contaminants and the corresponding values that are being considered for the rule amendment. Links to the chemicals and values are posted on MDH's website at:

<http://www.health.state.mn.us/divs/eh/risk/rules/water/rulerelated.html>

MDH is also seeking comment on the cumulative regulatory results from adding the incremental impact of the proposed rule to other state and federal rules related to the same specific purpose.

Interested persons or groups may submit comments or information on these possible rules in writing or orally until MDH publishes a notice of intent to adopt amendments in the *State Register*. MDH will not publish such a notice until more than 60 days have elapsed from the date of this request for comments. In addition, MDH plans to hold at least one public meeting to receive comment and to provide additional information on possible amendments. MDH will make related announcements via its e-mail subscription service. Further information on possible rule amendments, related public meetings, and e-mail subscription is available at:

<http://www.health.state.mn.us/divs/eh/risk/rules/water/rulerelated.html>

Rules Drafts. MDH has not yet drafted the possible rules amendments.

Agency Contact Person. Written or oral comments, questions, or requests to receive a draft of the rules when available should be directed to:

Nancy Rice
Minnesota Department of Health
625 Robert Street North
P.O. Box 64975
Saint Paul, MN 55164-0975
Phone: (651) 201-4923
Fax: (651) 201-4606
E-mail: nancy.rice@state.mn.us
TTY users may call the Department at (651) 201-5797

Alternative Format. Upon request, this Request for Comments can be made available in an alternative format, such as large print, braille, or audio. To make such a request, please contact the agency contact person at the address or telephone number listed above.

Official Notices

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge if and when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: June 27, 2012

Linda B. Bruemmer, Director
Environmental Health Division
Minnesota Department of Health

Department of Human Services (DHS) State Operated Services Division Public Notices of the Disproportionate Population Adjustment and Final Payment Rates for State Operated Treatment Centers

NOTICE IS HEREBY GIVEN to recipients, providers of services under the Medical Assistance (MA) Program, and to the public, of final disproportionate population adjustment (DPA) and the payment rates for State Operated Treatment Centers under the MA Program. This notice is published pursuant to 42 *United States Code* §1396a(a)(13)(A) (§1902(a)(13)(A) of the Social Security Act), which requires the Department to publish final payment rates for institutional providers, the methodologies underlying the establishment of such rates, and the justification of such rates.

In conjunction with the current state fiscal year's budget for State Operated Services, as appropriated by the legislature, payment rates are determined in accordance with *Minnesota Statutes*, §246.50, subdivision 5.

Effective for admissions occurring during State Fiscal Year 2013 (July 1, 2012 through June 30, 2013), the inpatient payment rate for the Anoka Metro Regional Treatment Center and the Child and Adolescent Behavioral Health Services program will be adjusted by 15.25 and 17.33 percent respectively.

The following final MA payment rates shall be effective July 1, 2012.

Mental Health Services

Anoka-Metro Regional Treatment Center	\$1,020
Child and Adolescent Behavioral Health Services	\$1,678
Community Behavioral Health Hospitals	\$1,153

Forensic Services

Adolescent/Young Adult Services	\$553
Minnesota Security Hospital	\$553
Forensic Transition Services	\$419
Competency Restoration Program	\$523
Nursing Home Services	\$594

Questions and comments may be directed to Lynn Glancey, Minnesota Department of Human Services, State Operated Services Division, 444 Lafayette Road North, St. Paul, MN 55155-0979, phone (651) 431-3690 or e-mail: Lynn.Glancey@state.mn.us.

Official Notices

Metropolitan Council

Public Information Meeting on the Proposed Revisions to the Waste Discharge Rules for the Metropolitan Disposal System

Thursday, September 27, 2012 - 9:00 a.m.
Metropolitan Council Environmental Services Meeting Room
Metro 94 Business Center
455 Etna Street, Suite 32
St. Paul, MN 55106

NOTICE IS HEREBY GIVEN that Metropolitan Council Environmental Services (MCES) will hold a public information meeting to provide background information and receive public input related to proposed revisions to the Waste Discharge Rules (WDR) for the Metropolitan Disposal System (regional wastewater collection and treatment system). This notice shall also serve as a 90-day notice that the Metropolitan Council board may modify the Local Pretreatment Standards and Prohibited Waste Discharges in the WDR.

The WDR specify standards and requirements which must be met by affected persons, including permittees and customer communities. The revisions now proposed involve three main categories:

- 1) Requirements involving "customer communities," which are the cities and townships served by the Metropolitan Disposal System (MDS). The proposals generally serve to codify existing requirements or procedures.
- 2) Revisions required by the Minnesota Pollution Control Agency, resulting from the adoption of "Minnesota Pretreatment Rules" in 2008 (*Minnesota Rules*, Chapter 7049).
- 3) Other additions, updates and improvements.

Copies of the WDR revision document are available at:

- Metropolitan Council Data Center, 390 Robert St. N., St. Paul (data.center@metc.state.mn.us, or phone: (651) 602-1140 or (651) 291-0904 [TTY])
- Metropolitan Council Website, www.metrocouncil.org/environment/IndustrialWaste/index.htm

All interested persons are encouraged to attend the public information meeting on September 27, 2012, and provide comments. You also may submit comments, which must be *received* by Metropolitan Council Environmental Services no later than October 8, 2012. Comments will be summarized and considered prior to final action by the Metropolitan Council board, which is anticipated to occur after October 8, 2012, and prior to December 31, 2012. To submit comments:

- Send written comments to: Leo Hermes at Metropolitan Council Environmental Services, 390 Robert St. N., St. Paul, MN 55101-1805
- Fax comments to: Leo Hermes at (651) 602-4730
- Record comments on: Metropolitan Council Public Comment Line at (651) 602-1500
- E-mail comments to: data.center@metc.state.mn.us
- Send TTY comments to (651) 291-0904

If you have questions related to this notice, please contact Leo Hermes, manager of MCES's Industrial Waste and Pollution Prevention Section, at 651-602-4701.

Upon request, Metropolitan Council Environmental Services will provide reasonable accommodations to persons with disabilities at the public information meeting. Please submit such requests to Leo Hermes via mail or fax (see above) or by phone at 651-602-4701 before September 18, 2012.

Official Notices

Department of Natural Resources (DNR)

Notice of Meeting of the Land Exchange Board, July 12, 2012

The Land Exchange Board will hold a meeting on July 12, 2012, at 10:00 a.m., in Room 123 of the State Capitol, 75 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN. The purpose of the meeting is to consider a request from the United States Fish and Wildlife Service to approve an easement acquisition of land in Mahnomen County. One or more Board members may be participating via telephone. The public may monitor the meeting from a remote location. Persons wishing to do so should contact Jim.Levi@osa.state.mn.us.

Department of Public Safety (DPS)

Bureau of Criminal Apprehension (BCA)

Notice of Criminal Justice Information Users Conference

The Bureau of Criminal Apprehension's Minnesota Justice Information Services will hold a Criminal Justice Information Users Conference on Tues. & Weds., September 11-12, 2012 at the River's Edge Convention Center in St. Cloud. The conference is open to Minnesota criminal justice agency staff and provides information on criminal justice applications, policies and proper procedure. The \$100 registration fee for attendees includes all conference materials plus CLE and 9.5 POST credits. After July 13, the registration fee goes up to \$125.

Exhibitor booth opportunities exist for vendors and other interested parties for \$450 until July 13. After that, the fee is \$500. Exhibitor registrations close on August 15.

To learn more about the conference, about becoming an exhibitor or to register for the conference, go to
<https://dps.mn.gov/divisions/bca/bca-divisions/mnjis/Pages/default.aspx>

Direct any questions about the conference or about registration to Kim Lacek, kim.lacek@state.mn.us or (651) 793-2478.

Department of Transportation (Mn/DOT)

Engineering Services Division,

Office of Construction and Innovative Contracting

Notices of Suspension and Debarment

NOTICE OF SUSPENSION

NOTICE IS HEREBY GIVEN that the Department of Transportation ("MnDOT") has ordered that the following vendors be suspended for a period of sixty (60) days, effective June 8, 2012 until August 7, 2012:

- Marlon Louis Danner and his affiliates, South St. Paul, MN
- Danner, Inc. and its affiliates, South St. Paul, MN
- Bull Dog Leasing, Inc. and its affiliates, Inver Grove Heights, MN
- Danner Family Limited Partnership and its affiliates, South St. Paul, MN
- Ell-Z Trucking, Inc. and its affiliates, South St. Paul, MN
- Danner Environmental, Inc. and its affiliates, South St. Paul, MN

NOTICE OF DEBARMENT

NOTICE IS HEREBY GIVEN that the Department of Transportation ("MnDOT") has ordered that the following vendors be debarred for a period of three (3) years, effective February 24, 2010 until February 24, 2013:

Official Notices

- Joseph Edward Riley, Morris, MN
- John Thomas Riley, Morris, MN

NOTICE IS HEREBY GIVEN that the Department of Transportation ("MnDOT") has ordered that the following vendors be debarred for a period of three (3) years, effective March 25, 2011 until March 25, 2014:

- Philip Joseph Franklin, Leesburg, VA
- Franklin Drywall, Inc. and its affiliates, Little Canada, MN
- Master Drywall, Inc. and its affiliates, Little Canada, MN

Minnesota Statute section 161.315 prohibits the Commissioner, counties, towns, or home rule or statutory cities from awarding or approving the award of a contract for goods or services to a person who is suspended or debarred, including:

- 1) any contract under which a debarred or suspended person will serve as a subcontractor or material supplier,
- 2) any business or affiliate which the debarred or suspended person exercises substantial influence or control, and
- 3) any business or entity, which is sold or transferred by a debarred person to a relative or any other party over whose actions the debarred person exercises substantial influence or control, remains ineligible during the duration of the seller's or transfer's debarment.

State Grants & Loans

In addition to requests by state agencies for technical/professional services (published in the State Contracts Section), the *State Register* also publishes notices about grants and loans available through any agency or branch of state government. Although some grant and loan programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself. Agencies are encouraged to publish grant and loan notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

Market Your Grants and Loans

The *State Register* is one of the best ways to advertise your grants - it's a required read for public works projects. And it's cost is one of the least expensive legal advertising rates in Minnesota. At \$10.20 per 1/10 of a page you cannot go wrong.

Check up on all the "active" state grants in the "Contracts & Grants" section, available only to *State Register* subscribers. Open the *State Register* and click on Bookmarks on the left. You will also see a list of all the current rules, a growing index, and previous years' indices. Subscribers also receive LINKS to the *State Register*. Subscriptions cost \$180 a year (an \$80 savings). Here's what you receive via e-mail:

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It's all E-mailed to you, at end-of-day on Friday, instead of waiting for the non-subscriber's issue released on Monday. Contact Loretta J. Diaz, our subscriptions manager, at **phone:** (651) 297-8777, or **fax:** (651) 297-8260, or **e-mail:** loretta.diaz@state.mn.us

State Grants & Loans

Department of Employment and Economic Development (DEED) Minnesota Housing Finance Agency (MHFA)

Minnesota Department of Human Services (DHS)

Notice of Public Hearings and Draft Availability of State of Minnesota 2013 Housing and Community Development Annual Action Plan (ACTION PLAN) and Consolidated Annual Performance and Evaluation Report (CAPER) for 2012

The State of Minnesota is developing its annual Action Plan for 2013, and the Consolidated Annual Performance and Evaluation Report (CAPER) for 2012. The state encourages citizens to participate in the development of both the Action Plan and the CAPER.

Annually the state submits an Action Plan to the U.S. Department of Housing and Urban Development (HUD) in order to receive federal housing and community development funding through the Community Development Block Grant (CDBG), HOME Investment Partnerships, Emergency Solutions Grants (ESG), and Housing Opportunities for Persons with AIDS (HOPWA) programs. Last year the state adopted the 2012-2016 Consolidated Plan, which examined the housing and community development needs of the state, and set priorities for allocating HUD funds. The annual Action Plan directs how the state will meet current and future needs and priorities in the coming year.

The state submits its CAPER to HUD annually as one of the conditions of receiving federal funds under the programs identified above. The CAPER provides information to measure the state's progress during the past year in meeting assistance goals and priorities identified in the Consolidated Plan. The CAPER includes a summary and analysis of progress made on identified actions that state agencies have elected to undertake to affirmatively further fair housing and overcome impediments to fair housing.

Process to Comment on the Annual Action Plan

The state will hold its first public hearing about the Action Plan on **Tuesday, July 24, 2012**, to gather citizen input on housing and community development needs and how federal funding should be allocated in the state.

A second public hearing on the Action Plan will be held on **Tuesday, September 11, 2012**. This second public hearing will be for review and comment on the draft Action Plan, which will be available for public review and comment beginning August 14, 2012. The draft Action Plan will be available on the Internet at <http://www.mnhousing.gov> and <http://www.positivelyminnesota.com> and in state depositories identified in the Citizen Participation Plan, which may be viewed at the same internet locations. Hard copies of the Action Plan can be obtained by calling Gloria Stiehl, Department of Employment and Economic Development, 1-800-657-3858, or (651) 259-7462, or TTY 1-800-282-5909 or (651) 296-3900. Both hearings will be held at 4:00 p.m. at the Minnesota Department of Human Services, Room 1235, 444 Lafayette Road, St. Paul. Free parking for the hearings is available in parking lot C adjacent to the building. Call 1-800-657-3858 or TTY 1-800-282-5909 for more information about these hearings.

Comments on the draft Action Plan will be accepted until close of business **September 14, 2012**. Written public comments on the Action Plan should be submitted to: Action Plan, Attn: Gloria Stiehl; Minnesota Department of Employment and Economic Development; First National Bank Building; 332 Minnesota Street, Suite E200; St. Paul, MN 55101-1351; via fax to (651) 296-1290 or by e-mail to gloria.stiehl@state.mn.us. To ensure consideration of your comments, type "Action Plan" in the subject line of your e-mail.

The State will consider any comments from individuals or groups received in writing or at public hearings. A summary of the written and public hearing comments on the Action Plan and the State's responses will be included in the final Action Plan. The Action Plan will be submitted to HUD on or before November 15, 2012.

Process to Comment on the CAPER

A draft of the 2012 CAPER will be available for public review and comment beginning November 15, 2012, at www.mnhousing.gov and www.positivelyminnesota.com and ending at close of business on November 30, 2012. Hard copies of the CAPER can be obtained by calling Minnesota Housing Finance Agency at 1-800-657-3769 or (651) 296-7608, or TTY (651) 297-2361.

Written public comments on the CAPER must be submitted by November 30, 2012 to CAPER; Minnesota Housing Finance Agency; 400 Sibley Street, Suite 300; St. Paul, MN 55101; via fax to (651) 296-8139 or by e-mail to mn.housing@state.mn.us. To ensure

State Grants & Loans

consideration of your comments, type "CAPER" in the subject line of your e-mail.

The State will consider any comments from individuals or groups received in writing and a summary of the written comments on the CAPER and the State's responses will be included in the final CAPER. The CAPER will be submitted to HUD on or before December 31, 2012.

State Contracts

Informal Solicitations: Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be published in the *State Register* or posted on the Department of Administration, Materials Management Division's (MMD) Web site. Interested vendors are encouraged to monitor the P/T Contract Section of the MMD Web site at: www.mmd.admin.state.mn.us for informal solicitation announcements.

Formal Solicitations: Department of Administration procedures require that formal solicitations (announcements for contracts with an estimated value over \$50,000) for professional/technical contracts must be published in the *State Register*. Certain quasi-state agency and Minnesota State College and University institutions are exempt from these requirements.

Requirements: There are no statutes or rules requiring contracts to be advertised for any specific length of time, but the Materials Management Division strongly recommends meeting the following requirements:

\$0 - \$5000 does not need to be advertised. Contact the Materials Management Division: (651) 296-2600
\$5,000 - \$25,000 should be advertised in the *State Register* for a period of at least seven calendar days;
\$25,000 - \$50,000 should be advertised in the *State Register* for a period of at least 14 calendar days; and
anything above \$50,000 should be advertised in the *State Register* for a minimum of at least 21 calendar days.

Vendors and Consultants

The state spends \$2-3 billion a year on contracts. The *State Register* is one of the best ways to advertise your contracts - it's a required read for public works projects. And it's cost is one of the least expensive legal advertising rates in Minnesota. At \$10.20 each 1/10 of a page, you cannot go wrong.

Subscribers receive a list of all **current contracts and grants**, as well as **LINKS** to the *State Register*, Bookmarks, and a growing **INDEX** to each volume, including the current issue, and previous volumes. To view, open the *State Register* and click on **BOOKMARKS** in the left hand corner. Here's what you receive via e-mail:

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State Contracts

Minnesota State Colleges and Universities (MnSCU)

Riverland Community College

Request for Bids for Waste Removal

Sealed bids will be received by Riverland Community College for the purpose of establishing a three-year contract for waste removal and disposal at all or individual locations of Riverland Community College, according to specifications below.

*Waste removal bid can be for all three communities or any one community:

Albert Lea
2200 Riverland Drive
Albert Lea, MN 56007

Austin West
1900 8th Ave NW
Austin, MN 55912

Austin East
1600 - 8th Ave NW
Austin, MN 55912

Owatonna
965 Alexander Dr SW
Owatonna, MN 55060

• 3 Year Contract Starting July 1, 2012

• Services Needed:

Albert Lea

1 - 6 yd Front Loading Compactor – Approximately every 20 days
1 - 6 yd Cardboard 1 x weekly
12 - 96 Gallon Toters- recyclers – as needed

Austin East

1 - 6 yd cardboard 1 x weekly
1 - 8 yd trash 1 x weekly

Austin West

3 - 2 yd trash 1 x weekly
1 - 8 yd trash 1 x weekly
1 - 8 yd cardboard 1 x weekly

Owatonna

1 - 6 yd trash 1 x weekly
1 - 2 yd cardboard 1 x weekly

Sealed bids will be accepted until 2:00 PM on Monday, July 23, 2012 at which time they will be opened and read. Bids should be submitted to:

Judy Enright
Riverland Community College
West Building
1900 - 8th Ave NW
Austin, MN 55912

State Contracts

And endorsed "Waste Removal Bid".

Riverland Community College reserves the right to reject any or all bids, to waive technicalities in bids, and to delay final award for a period of 15 days.

Minnesota State Colleges and Universities (MnSCU) St. Cloud Technical & Community College Notice of Request for Proposal for Early Alert System

Formal Request for Proposal for Early Alert System that Enables the Identification of Students Exhibiting At-risk Behaviors Early in a Semester so that Interventions Can Be Provided by Appropriate College Service Areas

Response Due Date and Time: Thursday, July 19, 2012 at 2:00 p.m. Central Time

The complete Request for Proposal will be available on Monday, July 2, 2012 on the website <http://www.sctcc.edu/rfp>.

Title of Project: Early Alert System

Geographic Location Requirements: St. Cloud Technical & Community College, 1540 Northway Drive, St. Cloud, MN 56303

Responses must be received at the location listed below:

Susan Meyer, Purchasing Agent, Room 1-401
St. Cloud Technical & Community College
1540 Northway Drive
St. Cloud, MN 56303
Phone: (320) 308-5973
Fax: (320) 308-5027
E-mail: smeyer@sctcc.edu

Contact for questions: Peg Shroyer, **phone:** (320) 308-5030, **e-mail:** pshroyer@sctcc.edu

Your response to this Request for Proposal (RFP) must be returned sealed. Sealed responses must be received no later than the due date and time specified above. Late responses cannot be considered and the responses will be rejected.

The laws of Minnesota and MnSCU Board of Trustees policies and procedures apply to this RFP.

All attached General RFP Terms and Conditions, Specifications and Special Terms and Conditions are part of the RFP and will be incorporated into any contract(s) entered into as a result of this RFP.

All responses to this RFP must be prepared as stated herein and properly signed. Address all correspondence and inquiries regarding this RFP to the Contact person above. This is a request for responses to an RFP and is NOT a purchase order.

State Contracts

Department of Commerce

Notice of Availability of Contract for Methodological Development of an Exchange Insurer and Qualified Health Plan Quality Rating System and Enrollee Satisfaction Survey System

The Minnesota Department of Commerce (Commerce) requests proposals from highly qualified respondents to develop a Health Benefit Exchange (Exchange) quality rating system and an enrollee satisfaction survey system for insurers and qualified health plans (QHPs). The Exchange is required to implement these components under the Federal Patient Protection and Affordable Care Act (ACA). The contractor must work collaboratively with Commerce, other state agencies, and additional stakeholder groups throughout the development of the methodology.

Work is proposed to start after September 3, 2012.

A Request for Proposals will be available by email from this office. **A written request (by e-mail) is required to receive the Request for Proposal.**

The Request for Proposal can be obtained from:

Stephanie Krieg
Health Insurance Exchange
85 E. 7th Place, Suite 120
Saint Paul, MN 55101
Phone: (651) 296-6236
E-mail: Stephanie.Krieg@state.mn.us

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 4:00 pm, Central Time, August 6, 2012. **Late proposals will NOT be considered.** Fax or e-mailed proposals will NOT be considered.

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Department of Natural Resources (DNR)

Notice of Availability of Contract for Geochemical Analyses

The Minnesota Department of Natural Resources is requesting proposals for the purpose of acquiring affordable, accurate, and precise geochemical analyses of rock, core, sediment, heavy mineral concentrates (HMC) from glacial till samples, soil, and water samples.

Work is proposed to start after August 13, 2012.

A Request for Proposals will be available by mail from this office through July 19, 2012. **A written request (by email) is required to receive the Request for Proposal.** After July 19, 2012, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Dennis Martin, Minerals Development Manager
DNR- Lands and Minerals
500 Lafayette Road
Box 45
St Paul, MN 55155
E-mail: Dennis.Martin@state.mn.us
Telephone: (651) 259-5405

State Contracts

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than **2:30 p.m. central daylight time, July 27, 2012. Late proposals will NOT be considered.** Fax or emailed proposals will **NOT** be considered.

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Department of Natural Resources (DNR) Notice of Availability of Contract for USACE Lock and Dam No. 1 – Fish Barrier

The Minnesota Department of Natural Resources is requesting proposals for the purpose of Engineering Services for preliminary design alternatives, analysis and recommendations, preparation of construction plans and specifications, construction observation, and construction administration.

Work is proposed to start after August 15, 2012.

A Request for Proposals will be available by email from this office through July 18, 2012. **A written request email is required to receive the Request for Proposal.** The Request for Proposal can be obtained from:

Deb Johnson
Department of Natural Resources
500 Lafayette Road N.
St. Paul, MN 55155
E-mail: Debra.a.johnson@state.mn.us

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than **3:00 PM, Central Daylight Time, Thursday, July 26, 2012. Late proposals will NOT be considered.** Fax or emailed proposals will **NOT** be considered.

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

State Court Administration Request for Proposals for e-Court MN Project Manager

Looking for a Project Manager for a statewide project to move state courts from a framework of paper files to an electronic information environment. The eCourtMN strategic initiative will result in increased productivity for judges and court staff, and ensure convenient, timely, and appropriate access to court information for court users. The engagement for the Project Manager is anticipated to begin on or around August 8, 2012 and end June 30, 2013.

PROPOSAL TIMELINE:

1. Posting Date: 07/09/2012
2. Questions Due: 07/13/2012 5PM CST
3. Answers Posted: 07/20/2012 5PM CST
4. Proposal Submission Deadline: 07/27/2012 5PM CST, with interviews and subsequent selection as soon thereafter as possible.

Rich Gutsche
State Court Administration
Information Technology Division

State Contracts

25 Rev Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155
E-mail: Rich.Gutsche@courts.State.mn.us

A full request for proposal will be available on the Court Website at www.mncourts.gov under Public Notices.

Department of Transportation (Mn/DOT) Engineering Services Division Notice of Potential Availability of Contracting Opportunities for a Variety of Highway Related Technical Activities ("Consultant Pre-Qualification Program")

This document is available in alternative formats for persons with disabilities by calling Kelly Arneson at (651) 366-4774; for persons who are hearing or speech impaired by calling Minnesota Relay Service at (800) 627-3529.

Mn/DOT, worked in conjunction with the Consultant Reform Committee, the American Council of Engineering Companies of Minnesota (ACEC/MN), and the Department of Administration, to develop the Consultant Pre-Qualification Program as a new method of consultant selection. The ultimate goal of the Pre-Qualification Program is to streamline the process of contracting for highway related professional/technical services. Mn/DOT awards most of its consultant contracts for highway-related technical activities using this method, however, Mn/DOT also reserves the right to use Request for Proposal (RFP) or other selection processes for particular projects.

Nothing in this solicitation requires Mn/DOT to use the Consultant Pre-Qualification Program.

Mn/DOT is currently requesting applications from consultants. Refer to Mn/DOT's Consultant Services web site, indicated below, to see which highway related professional/technical services are available for application. Applications are accepted on a continual basis. All expenses are incurred in responding to this notice will be borne by the responder. Response to this notice becomes public information under the Minnesota Government Data Practices.

Consultant Pre-Qualification Program information, application requirements and applications forms are available on Mn/DOT's Consultant Services web site at: <http://www.dot.state.mn.us/consult>.

Send completed application material to:

Kelly Arneson
Consultant Services
Office of Technical Support
Minnesota Department of Transportation
395 John Ireland Blvd. Mail Stop 680
St. Paul, MN 55155

Department of Transportation (Mn/DOT) Engineering Services Division Notice Concerning Professional/Technical Contract Opportunities and Taxpayers' Transportation Accountability Act Notices

NOTICE TO ALL: The Minnesota Department of Transportation (Mn/DOT) is now placing additional public notices for professional/technical contract opportunities on Mn/DOT's Consultant Services website at: www.dot.state.mn.us/consult

New Public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice. Mn/DOT is also posting notices as required by the Taxpayers' Transportation Accountability Act on the above referenced website.

Non-State Public Bids, Contracts & Grants

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of commodity, project or tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from the date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact editor for further details.

Contracts with Other Units of Government

Check up on all the "active" state grants in the "Contracts & Grants" section, available only to *State Register* subscribers. Open the *State Register* and click on Bookmarks on the left. You will also see a list of all the current rules, a growing index, and previous years' indices. Subscribers also receive LINKS to the *State Register*. Subscriptions cost \$180 a year (an \$80 savings).

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Minnehaha Creek Watershed District Notice of Request for Bid Proposals for Lake Nokomis Outlet Reconstruction

Lake Nokomis Outlet Reconstruction

Owner: Minnehaha Creek Watershed District
Class of Work: Cast In-Place Concrete, Concrete Stamping/Sculpting and Demolition
Project Location: Minneapolis Parks Hennepin County, Minnesota
Pre-Bid Meeting: 9:00 AM, July 16, 2012 (Mandatory)
Bids Close At: 12:00 PM (noon), July 19, 2012

1.1 NOTICE TO CONTRACTORS

Sealed Bid Proposals for the furnishing of all labor, materials and all other items necessary to complete the work described herewith, will be received by Minnehaha Creek Watershed District at its office located at 18202 Minnetonka Blvd., Deephaven, MN, until 12:00 PM (noon), July 19, 2012, after which such bids will be opened and read aloud. Bid submittals must be clearly labeled "Lake Nokomis Outlet Reconstruction Bid Package" on the outside of the submittal. The work, in accordance with drawings and specifications prepared by Wenck Associates, Inc. consists of the following major items of work:

- Demolition of Adjustable Stainless Steel Weir, Pneumatic/Electric Controls and Appurtenances
- Cast In-Place Reinforced Concrete
- Furnishing and Installation of Removable Aluminum Stop-Logs
- Stamped/Sculpted Concrete Overlays, Staining and Sealing
- Restoration of Park Area Disturbed by Construction

Contractors desiring a copy of the Bid Package, plans, specifications and proposal forms may obtain them from the offices of Wenck Associates, Inc. There is **non-refundable** fee of \$65 for each Bid Package. Bid Packages are also available for examination at the Minnehaha Creek Watershed District office. Bids will not be accepted from Bidders that have not acquired a full Bid Package from Wenck Associates, Inc.

Non-State Public Bids, Contracts & Grants

All communications relative to this project should be addressed to the ENGINEER prior to opening of the Bid. Wenck Associates, Attn: Mike Panzer, Project Engineer, 1800 Pioneer Creek Center, Maple Plain MN 55359, e-mail: mike.panzer@wenck.com or phone (763) 479-4207.

A MANDATORY PRE-BID MEETING will be held at the project site (near the 4900 block of West Lake Nokomis Parkway, Minneapolis, MN) at 9:00 AM on July 16, 2012.

Bid Proposals shall be submitted on forms furnished for that purpose. Each bid proposal shall be accompanied by a "Bid Security" in the form of a certified or cashier's check made payable to Minnehaha Creek Watershed District ("OWNER") in an amount not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the OWNER, with a surety company duly authorized to do business in the state of Minnesota, such Bid Security to be a guarantee that the Bidder, if awarded a contract, will enter into a contract with Minnehaha Creek Watershed District; and the amount of the certified check will be retained or the bond enforced by the OWNER in case the bidder fails to do so. The OWNER will retain the deposits for the three lowest bidders until the contract has been awarded and executed but not longer than sixty (60) days. No bid may be withdrawn for a period of sixty (60) days following the bid opening.

The bid of the lowest responsible bidder is intended to be accepted on or before the expiration of sixty (60) days after the date of the opening of bids. The OWNER, however, reserves the right to reject any or all bids and to waive any minor irregularities, informalities or discrepancies, and further reserves the right to award the contract in the best interest of Minnehaha Creek Watershed District.

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<i>Historic Photos of Minnesota</i>	Stock Number 841	\$39.95
<i>Tales of the Road: Highway 61</i>	Stock Number 13668	\$24.95
<i>Minnesota in 3D</i>	Stock Number 13865	\$19.99A
<i>Hard-Water World</i>	Stock Number 766	\$24.95
<i>It Happened in Minnesota</i>	Stock Number 916	\$12.95
<i>Lost in the Woods</i>	Stock Number 1099	\$19.95
<i>Historic Photos of St. Paul</i>	Stock Number 13660	\$39.95
<i>State Fair</i>	Stock Number 13667	\$24.95

State Capitol Mementos

Minnesota State Capitol: The Art & Politics of a Public Building	Stock Number 945	\$16.95
Minnesota's Capitol: A Centennial Story	Stock Number 908	\$24.00

Cooking & Cookbooks

Road to the Blue Ribbon Baking	Stock Number 13612	\$29.95
Recipes of Our Ancestors	Stock Number 13963	\$37.50
Minnesota Homegrown Cookbook	Stock Number 13716	\$29.95
Baking with the St. Paul Bread Club:	Stock Number 1027	\$24.95
Recipes, Tips & Stories		
Cooking with Wild Berries & Fruit	Stock Number 13712	\$12.95
Hot Dish Heaven: Classic Casseroles	Stock Number 1034	\$16.95
From Midwest Kitchens		
Potluck Paradise	Stock Number 767	\$16.95
The Seasonal Cabin Cookbook	Stock Number 1059	\$16.95

Genealogy, Cemeteries, and Historical Names

Recipes of Our Ancestors	Stock Number 13963	\$37.50
A Guide to Family History Resources	Stock Number 940	\$11.95
at the Minnesota Historical Society		
Six Feet Under: A Graveyard's Guide	Stock Number 922	\$14.95
to Minnesota		
Pocket Guide to Minnesota Place Names	Stock Number 920	\$11.95
Minnesota Place Names:	Stock Number 905	\$49.95
A Geographical Encyclopedia		
The Governor's Mouse	Stock Number 13926	\$20.00

Minneapolis & St. Paul History

The Street Where You Live	Stock Number 927	\$19.95
St. Paul's Architecture	Stock Number 928	\$24.95
Minnesota State Capitol: The Art and	Stock Number 945	\$16.95
Politics of a Public Building		
St. Paul's Historic Summit Avenue	Stock Number 939	\$15.95
Lost Twin Cities	Stock Number 906	\$23.95
Celebrate St. Paul	Stock Number 937	\$49.95
Twin Cities Then and Now	Stock Number 911	\$19.95
Lake Street USA	Stock Number 1090	\$12.80

Minnesota History

Six Feet Under: A Graveyard's Guide	Stock Number 922	\$14.95
to Minnesota		
Great Little Museums of the Midwest	Stock Number 1120	\$18.95
Minnesota Place Names:	Stock Number 905	\$49.95
A Geographical Encyclopedia		
Minnesota State Capitol: The Art & Politics	Stock Number 945	\$16.95
of a Public Building,		
The M-Files: True Reports About Minnesota's	Stock Number 1082	\$14.95
Unexplained Phenomena		
Ghost Stories of Minnesota	Stock Number 1009	\$10.95
Minnesota Memories & Images	Stock Number 1108	\$11.95



Several convenient ways to order:

- ♦ **Retail store** Open 8 a.m. - 5 p.m. Monday - Friday, 660 Olive Street, St. Paul
- ♦ **Phone** (credit cards): 8 a.m. - 5 p.m. Monday - Friday, 651.297.3000 (Twin Cities) or 1.800.657.3757 (nationwide toll-free)
- ♦ **On-line orders:** www.minnesotasbookstore.com
- ♦ **Minnesota Relay Service:** 8 a.m. - 5 p.m. Monday - Friday, 1.800.627.3529 (nationwide toll-free)
- ♦ **Fax** (credit cards): 651.215.5733 (fax line available 24 hours/day)
- ♦ **Mail orders:** Orders can be sent to Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155

PREPAYMENT REQUIRED. Prices and availability subject to change.

Fax and phone orders: Credit card purchases ONLY (American Express/Discover/MasterCard/VISA). Please allow 1-2 weeks for delivery. **Mail orders:** Complete order blank and send to address above. Enclose check or include credit card information. Please allow 4-6 weeks for delivery. Please make checks payable to "Minnesota's Bookstore." A \$20.00 fee will be charged for returned checks.

Stock No.	Title	Quantity	Unit Price	Total

Send my order to:

Company _____

Name _____

Street Address (Not deliverable to P.O. boxes) _____

City () State Zip

Daytime phone (In case we have a question about your order) _____

Credit card number: _____

Expiration date: _____ Signature: _____

Shipping Charges

If Product Subtotal is:	Please Add:
Up to \$15.00	\$ 5.00
\$15.01-\$25.00	\$ 6.00
\$25.01-\$50.00	\$ 9.00
\$50.01-\$100.00	\$ 14.00
\$100.01-\$1,000	\$ 17.00*
*\$17 to an address in MN, WI, SD, ND, IA. If delivered to an address in other states, Canada or internationally, we will contact you if there are additional charges.	
More than \$1,000	Call

Product Subtotal _____

Shipping _____

Subtotal _____

Sales tax _____

(6.875% sales tax if shipped to MN address, 7.625% if shipped to St. Paul address, 7.125% MN transit tax or other local sales tax if applicable)

TOTAL _____

If tax exempt, please provide ES number or completed exemption form.
ES# _____